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# ***Illinois Register***

Illinois Institute of Technology

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## **Rules of Governmental Agencies**

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**Editor's Note:** The Cumulative Index and Sections Affected Index will be printed on a quarterly basis. The printing schedule for the quarterly and annual indexes are as follows:

April 17, 1998 - Issue 16: Through	March 31, 1998
July 17, 1998 - Issue 29: Through	June 30, 1998
October 16, 1998 - Issue 42: Through	September 30, 1998
January 15, 1999 - Issue 3: Through	December 31, 1998 (Annual)



## INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. The Register also contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current Register volume year and a Sections Affected Index listing by Title each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume year. Both indices are action coded and are designed to aid the public in monitoring rules.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State statute; and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies; is also published in the Register.

The Register is a weekly update to the *Illinois Administrative Code* (a compilation of the rules adopted by State agencies). The most recent edition of the Code along with the Register comprise the most current accounting of State agencies' rules.

The Illinois Register is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1 et seq.].

## REGISTER PUBLICATION SCHEDULE 1998

Material Rec'd before 4:30 p.m. on:	Will be in Issue #:	Published on:
July 13, 1998	30	July 24, 1998
July 20, 1998	31	July 31, 1998
July 28, 1998	32	Aug. 7, 1998
Aug. 3, 1998	33	Aug. 14, 1998
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Dec. 7, 1998	51	Dec. 18, 1998
Dec. 14, 1998	52	Dec. 28, 1998
Dec. 21, 1998	1	Jan. 4, 1999
Dec. 28, 1998	2	Jan. 8, 1999

\*Please note: If the state holiday falls on a Monday, the deadline will be 12 noon on Tuesday (the next day).



## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULE(S)

- 1) Heading of the Part: Conservation Reserve Enhancement Program (CREP)

- 2) Code Citation: 17 Ill. Adm. Code 1515

- 3) Section Numbers:
- |         |                         |
|---------|-------------------------|
| 1515.10 | <u>Proposed Action:</u> |
| 1515.20 | New Section             |
| 1515.30 | New Section             |
| 1515.40 | New Section             |
| 1515.50 | New Section             |
| 1515.60 | New Section             |
- EXHIBIT A

- 4) Statutory Authority: Implementing and authorized by the Intergovernmental Cooperation Act [5 ILCS 220], the Soil and Water Conservation Districts Act [70 ILCS 405], the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], the Real Property Conservation Rights Act [765 ILCS 120], and the Civil Administrative Code of Illinois [20 ILCS 805].

- 5) A Complete Description of the Subjects and Issues Involved: The Conservation Reserve Enhancement Program is a State and Federal incentive program to retire 232,000 acres of environmentally sensitive ground in the Illinois River Watershed. The main purpose of the program is to reduce sedimentation and siltation in the Illinois River. The State incentives include cost-share reimbursement for approved conservation practices and payments for conservation easements and federal contract extensions.

- 6) Will this rulemaking replace any emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments on the proposed rulemaking may be submitted in writing for a period of 45 days following publication of this notice to:

Jack Price  
Department of Natural Resources  
524 S. Second Street  
Springfield IL 62701-1787  
217/782-1809

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULE(S)

- 12) Initial Regulatory Flexibility Analysis:

- A) Types of small businesses, small municipalities and not for profit corporations affected: None

- B) Reporting, bookkeeping or other procedures required for compliance: None

- C) Types of professional skills necessary for compliance: None

- 13) Regulatory Agenda on which this rule was summarized: This rule was not included on either of the 2 most recent agendas because: The Department neglected to file a regulatory agenda on this Part.

The full text of the Proposed Rules is identical to the text of the emergency rule that appears in this issue of the Illinois Register on page 18118.

## ATTORNEY GENERAL

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Programmatic and Fiscal Requirements for Administering Funds Under the Violent Crime Victims Assistance Act

2) Code Citation: 89 Ill. Adm. Code 1100

3) Section Numbers: Adopted Action:

1100.10	Amended
1100.20	Amended
1100.30	Amended
1100.40	Amended
1100.50	Amended
1100.60	Amended
1100.100	Amended
1100.110	Amended
1100.120	Amended
1100.122	New
1100.124	New
1100.130	Amended
1100.140	Amended
1100.200	Amended
1100.210	Amended
1100.218	New
1100.220	Amended
1100.230	Amended
1100.240	Amended
1100.250	Amended
1100.260	Amended

4) Statutory Authority: Violent Crime Victims Assistance Act [725 ILCS 240]

5) Effective date of amendments: September 28, 1998

6) Does this amendment contain an automatic repeal date? No

7) Does this rulemaking contain any incorporations by reference? Yes

8) A copy of the adopted amendments, including any material incorporated by reference, is on file in the Attorney General's principal offices and is available for public inspection.

9) Notice(s) of Proposal was Published in Illinois Register: February 13, 1998 - 22 Ill. Reg. 3218

10) Has JCAR issued a Statement of Objection to these rules? No

11) Differences between proposal and final version: None

12) Have all the changes agreed upon by the agency and JCAR been made as

## ATTORNEY GENERAL

## NOTICE OF ADOPTED AMENDMENTS

indicated in the agreements issued by JCAR? None

13) Will these amendments replace emergency amendments currently in effect?  
No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of the amendments: These amendments are the result of a comprehensive review of the rules. Changes have added and eliminated sections pertaining to the administration of the Violent Crime Victims Assistance Program that have, by experience, proved to be in need of clarification, elaboration, updating, or unnecessary to the effective operations of the program. Statutory citations are changed from Illinois Revised Statutes to Illinois Compiled Statutes, and changes in statute are reflected.

16) Information and questions regarding these adopted amendments shall be directed to:

John Crain, Chief  
Budget/Fiscal Bureau  
Office of the Attorney General  
500 South Second Street  
Springfield, IL 62706  
217/782-9058

The full text of the Adopted Amendment begins on the next page:

## ATTORNEY GENERAL

## NOTICE OF ADOPTED AMENDMENTS

TITLE 89: SOCIAL SERVICES  
CHAPTER IX: ATTORNEY GENERAL

## PART 1100

PROGRAMMATIC AND FISCAL REQUIREMENTS FOR ADMINISTERING FUNDS  
UNDER THE VIOLENT CRIME VICTIMS ASSISTANCE ACT

## SUBPART A: GENERAL ADMINISTRATIVE PROVISIONS

Section  
1100.10 Administration of the Grant Program of the Violent Crime Victims Assistance Act - General Provisions  
1100.20 Grant Application Requirements Geographic-Population-Served  
1100.30 Funding Priorities  
1100.40 Programming for Victim Populations  
1100.50 Agency-Community Relations  
1100.60 General Program and Staffing Requirements

## SUBPART B: SPECIFIC PROGRAMS FOR VICTIM POPULATIONS

Section  
1100.100 Victim/Witness Programs  
1100.110 Sexual Assault Programs  
1100.120 Domestic Violence Programs  
1100.122 Child Sexual Assault/Child Abuse Programs  
1100.124 Senior Victim Programs  
1100.130 Programming for Other Victim Populations  
1100.140 Special Project Funding

## SUBPART C: FISCAL AND MONITORING REQUIREMENTS

Section  
1100.200 Income Documentation and Accounting Requirements  
1100.210 Allowable and Non-allowable Expenses  
1100.218 Interest  
1100.220 Audits  
1100.230 Grant Agreement  
1100.240 Lapsed Funds  
1100.250 Reporting Forms  
1100.260 Appeals Process

AUTHORITY: Implementing and authorized by the Violent Crime Victims Assistance Act [725 ILCS 240].

SOURCE: Emergency rules adopted at 9 Ill. Reg. 5710, effective April 12, 1985, for a maximum of 150 days; adopted at 9 Ill. Reg. 19654, effective December 9, 1985; amended at 11 Ill. Reg. 2705, effective January 27, 1987; amended at 22 Ill. Reg. 1743 8, effective SEP 28 1988.

## ATTORNEY GENERAL

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART A: GENERAL ADMINISTRATIVE PROVISIONS

Section 1100.10 Administration of the Grant Program of the Violent Crime Victims Assistance Act - General Provisions

- a) The Attorney General ("the Administrator") - The Illinois Attorney General is charged with the responsibility of administering the disbursement of monies collected within the Violent Crime Victims Assistance Act fund, including the responsibility for selecting applicants who are deemed qualified to receive funding for the establishment and operation of Victim and Witness Assistance Centers.
- b) Advisory Commission - Sections Section 4 and 5 of the Violent Crime Victims Assistance Act [725 ILCS 240/4 and 5] create ~~the~~ the ~~1984-Supp-7-ch--70--par--504~~ creates a Violent Crimes Advisory Commission chaired by the Attorney General.

1) The Advisory Commission consists of 14 ~~13~~ members: the Attorney General or his or her designee who shall serve as Chairperson; the Director of Children and Family Services; 2 members of the House of Representatives, 1 to be appointed by the Speaker of the House and 1 to be appointed by the Minority Leader of the House; 2 members of the Senate, 1 to be appointed by the President of the Senate and 1 to be appointed by the Minority Leader of the Senate; and the following to be appointed by the Attorney General: 1 police officer, 1 state's attorney from a county in Illinois; 1 health service professional possessing experience and expertise in dealing with victims of violent crime; and 5 members of the public, one of whom shall be a senior citizen age 60 or over, possessing experience and expertise in dealing with the victims of violent crime including experience with victims of domestic and sexual violence.

2) All Commission members will be appointed biennially for terms expiring on July 1 of each succeeding odd-numbered year. They shall serve until their respective successors are appointed or until termination of their legislative service, whichever comes first. The members will receive no compensation for their services but will be reimbursed for necessary expenses incurred in the performance of their duties.

3) Eight ~~Seven~~ members of the Advisory Commission shall constitute a quorum for the transaction of business. The concurrence of at least 8 ~~7~~ members will be necessary to render a determination, decision, or recommendation by the Advisory Commission.

4) The Advisory Commission shall have the following responsibilities relative to victims and witnesses of violent crimes:

- A) To study the operation of all Illinois laws, practices, agencies and organizations which affect victims of crime;
- B) To promote and conduct studies, research, analysis and investigation of matters affecting the interests of crime victims;



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- C) To recommend legislation to develop and improve policies which promote the recognition of the legitimate rights, needs and interests of crime victims;
- D) To serve as a clearinghouse for public information relating to crime victims' problems and programs;
- E) To coordinate, monitor and evaluate the activities of programs operating under the Violent Crime Victims Assistance Act;
- F) To make any necessary outreach efforts to encourage the development and maintenance of services throughout the State, with special attention to the regions and neighborhoods with the greatest need for victim assistance services;
- G) To perform other activities, in cooperation with the Attorney General, which the Advisory Commission considers useful to the furtherance of the stated legislative intent;
- H) To make an annual report to the General Assembly. [725 ILCS 240/4 and 5]

c) "Eligible" Agency - Any agency which meets the following criteria may apply for funding pursuant to this Part.

- 1) "Agency" means any federal, State, local or private entity which provides, operates, or coordinates victim and witness assistance programs. Any public or private non-profit agency may apply to the Attorney General for selection and funding as a Victim and Witness Assistance Center.
- 2) Private, not-for-profit agencies must have a ruling from the Internal Revenue Service under Section 501(c)(3) of the Internal Revenue Code (26 U.S.C. sec. 501(c)(3)(1985)). Governmental bodies--must--submit--a letter--from--their--applicable--fiscal--agent verifying--their--governmental--status.

d) Conflict of Interest

- 1) Agencies shall develop rules to govern themselves when conflict of interest situations arise and shall incorporate such rules in their constitution or bylaws, or publish such rules as agency policy.
- 2) Rules governing conflicts of interest shall prohibit salaried internal staff members of the Administrator's Violent Crime Victims Assistance Program from serving on agency boards. To avoid the appearance of impropriety, Advisory Commission members who are affiliated with agencies seeking grants under this fund or who serve on the Board of Directors of such agencies shall refrain from participation in the Commission's consideration of that agency's grant application. An Advisory Commission member is "affiliated" with an agency when he/she serves on the Board of an agency or works for said agency either in a volunteer or paid capacity.

(Source: Amended at 22 Ill. Reg.

17438

effective

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SEP 28 1998

## Section 1100.20 Grant Application Requirements Geographic-Population-Served

Applicants shall be required, within their grant application, to provide the following information: geographic area to be served; description of existing community needs in relation to victim and witness services and how the program addresses these needs; community support and involvement in relation to victim and witness services in the applicant's geographic area to be served; existing and proposed networking agreements; definition of victim and witness service population; not-for-profit agencies must submit a copy of their the most recent fiscal audit (if an audit has not been performed, the agency must submit a financial statement detailing revenue sources and expenses); and income documentation as required by Section 1100.200(a). Individual grant applications shall be developed and presented in a manner that reflects how the applicant's program functions in relation to the needs and resources within the specific geographic area to be served.

(Source: Amended 22 Ill. Reg. 17438 effective SEP 28 1998)

## Section 1100.30 Funding Priorities

- a) The Administrator shall consider the following factors in determining which applicants shall receive funding. The Administrator shall compare and contrast the applicants' proposed programs to determine which applicants in the geographic area are best able to achieve the standard, as stated below, of maximizing the number of victims and witnesses served and the types of services available to victims and witnesses:

- 1) Stated goals of applicants as contained in the grant application. Such goals must be consistent with the services enumerated in Section 1100.60(a)(1);
- 2) Commitment and ability to provide the services described in Section 1100.60(a)(1). Evidence of commitment and ability includes: programmatic expertise (i.e., qualifications, training, including in-service training for staff and volunteers), and experience of agency staff and Board members) level of resources available to the program and past grant compliance performance--(i.e., failure-to-provide-audit-information required-by-Section-1100-220(c);
- 3) Number of people served and needs of the community as contained in the grant application;
- 4) Evidence of community support as contained in the grant application;
- 5) Organizational structure of the agency as contained in the grant application;
- 6) Maximization of volunteers as detailed in the grant application;

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- 7) The extent to which a program implements the recommended services set forth in Sections 1100.100, 1100.110, 1100.120, 1100.122, 1100.124 and 1100.140.
- b) The number of applicants selected for funding will depend upon the amount of money available in the Violent Crime Victims Assistance Fund. The Administrator shall select applicants so as to maximize the number of victims and witnesses served and the types of services available to victims and witnesses statewide, as well as providing opportunities for specialized services and training.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 28 1998)

## Section 1100.40 Programming for Victim Populations

## a) Network of Services

Agencies may contact the Office of the Attorney General, Crime-Victims Division, Violent Crime Victims Assistance Program for technical assistance in relation to developing, and maintaining, or expanding a planned, organized, and coordinated network for the delivery of victim and witness services statewide.

## 1) Network Description

A) Each agency applying for a grant shall provide, within the grant application, a description evidence of functioning work relationships with other service providers within the community. Evidence of such functioning work relationships shall also be included and shall consist of: Such-evidence shall-consist-of-the-applicant's-written-statement-detailing the-working-relationships-and-any-written-agreements-between the-parties-to-these-working-relationships---Such--evidence shall-be-included-in-the-grant-application-

i) A sample of the agency's networking agreement and a listing of those providers and agencies with whom current agreements exist Working-agreements---with agencies-or-service-providers;

ii) Membership in inter-agency organizations;

iii) Record and data exchange systems; and/or

iv) Designated liaison between agencies.

B) A memorandum of intent describing a proposed network of working relationships may be substituted for new applicants not currently a component of a service network.

2) Exchanges of case record information deemed confidential by the agency releasing the information must include authorization from the client, parent, or guardian.

3) The agency shall demonstrate an ongoing effort toward publicizing its programs, functions, and location (except when the nature of the services requires that the location not be publicized), to all segments of the community.

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- b) Development of Services
- Technical programmatic assistance shall be provided by the Office of the Attorney General, Crime-Victims-Division, Violent Crime Victims Assistance Program to agencies requesting such services.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 28 1998)

## Section 1100.50 Agency-Community Relations

a) Grant recipients are encouraged to develop community support and active involvement in the planning, development, operation and/or funding of victim and witness services.

b) Support of victim and witness services in the form of local revenue, voluntary cash contributions, or "in-kind" contributions is indication of local support.

c) Applicants must submit a listing documentation of their funding support from local revenue sources, voluntary fund raising efforts, other State state agencies, federal sources and "in-kind" contributions.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 28 1998)

## Section 1100.60 General Program and Staffing Requirements

## a) Program Requirements

1) A program shall deliver services to violent crime victims and witnesses within a defined geographic area. All programs shall provide services consistent with the following functions, as set forth in Section 8 of the Violent Crime Victims Assistance Act. In addition, programs may provide the following services for witnesses of crime:

A) Coordinate volunteers to work with criminal justice agencies to provide direct victim services or to establish community support;

B) Provide assistance to victims of violent crime and their families in obtaining assistance through other official or community resources;

C) Provide elderly victims of crime with services appropriate to their special needs;

D) Provide transportation and/or household assistance to those victims participating in the criminal justice process;

E) Provide victims of domestic and sexual violence with services appropriate to their special needs;

F) Provide courthouse reception and guidance, including explanation of unfamiliar procedures and bilingual information;

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- G) Provide in-person or telephone hot-line assistance to victims;
- H) Provide special counseling facilities and rehabilitation services to victims;
- I) Provide other services as the Commission shall deem appropriate to further the purposes of the Act ~~this act~~;
- J) Provide public education on crime and crime victims;
- K) Provide training and sensitization for persons who work with victims of crime. [725 ILCS 240/81]

2) In addition to those policies and procedures outlined in other parts of this Section section, each program or agency shall develop written policies and procedures pertaining to client rights. For purposes of this subsection(a)(2), the term "client rights" shall in all cases include, but shall not be limited to, the right to confidentiality, the right of personal privacy, and the right to refuse services.

3) Grant recipients shall not deny services to clients on the basis of race, color, sex, age, religion, national origin, ancestry or handicap.

4) Client intake policies and procedures shall be set forth in writing and be available for review by the Administrator, when requested, to determine if the agency's programs and services are being provided to the population described in the grant application.

5) Grant recipients shall comply with all statutory requirements, as well as applicable rules and regulations as specified in their Grant Agreement.

## b) Personnel Requirements

- 1) Grant recipients shall not discriminate in the hiring or promotion of staff on the basis of race, color, national origin, ancestry, sex, age, religion or handicap.
- 2) Personnel policies shall be set forth in writing and be available for review by the Administrator upon request.
- 3) Volunteer training procedures shall be set forth in writing and be available for review by the Administrator upon request.
- 4) A private agency seeking funding under the Violent Crime Victims Assistance Act shall provide for administration and management of its program by an executive appointed by its Board of Directors.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 24 1998)

## SUBPART B: SPECIFIC PROGRAMS FOR VICTIM POPULATIONS

## Section 1100.100 Victim/Witness Programs

- a) Target Populations
  - 1) Programs shall be designed to aid violent crime victims and

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## NOTICE OF ADOPTED AMENDMENTS

witnesses in their contacts with the criminal justice system and with problems resulting from their victimization. Any limitations on the population served will be determined by the geographic boundaries, existing services and location of the program. (For example, a program may serve a single county or multiple counties.)

- 2) The Administrator does not require that victim and witness programs be located in traditional settings (i.e., prosecutor's office or police department).

## b) Services Provided

The following list of services is intended to serve as an example for the development of a comprehensive victim and witness program. Not all programs will be able to provide all of the listed services, and some programs may be able to provide services in addition to those listed. However, for a victim and witness program to adequately address the needs of crime victims and witnesses, these services form the basis of a comprehensive program. Programs providing services to these target populations will be examined, in the selection process, pursuant to Section 1100.30(a)(7) ~~to~~ to determine the extent to which the program conforms to these recommendations. When a program is providing the type of service contained in the recommendation, the manner in which it provides the service will be examined pursuant to the remaining criteria of Section 1100.30.

- 1) A program should provide staff to respond to crime scenes and provide intervention and support for victims and witnesses.
- 2) Information should be provided to victims and witnesses periodically throughout the case investigation, arrest, charging procedures, and court process.
- 3) The program should provide for notification of victims and witnesses in advance of court dates to minimize inconvenience and unnecessary court appearances whenever possible. An on-call system for victims and witnesses should be utilized.
- 4) Emotional support, court advocacy and issue counseling to victims and witnesses should be provided in all cases upon request of the victim or witness.
- 5) Services offered should be coordinated with other community resources. The establishment of service networks will promote the effectiveness of assistance to crime victims.
- 6) Procedures should be established to aid violent crime victims in the prompt return of their property.
- 7) Information should be given to a crime victim to assist in preparing a victim impact statement as provided in Section 6 of the Rights of Crime Victims and Witnesses Act [725 ILCS 120] ~~B44 of Rights for Victims and Witnesses of Violent Crime Act~~ ~~Rev. Stat. 1994 Supp. 7-30 par. 146b7.~~
- 8) A program should provide employer and school intervention on behalf of crime victims and witnesses in all cases upon request of the victim or witness.



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- 9) Victims and witnesses should be notified of any available financial assistance, including but not limited to the funds available under the Crime Victims Compensation Act [740 ILCS 45].
- 10) Special efforts should be made to reduce the burdens that prevent victims and witnesses from participating in the criminal justice system. Appropriate services may include, but need not be limited to, transportation, language interpretation, secure waiting areas, child care, lodging arrangements for out-of-town witnesses, and parking.
- 11) All programs should provide training to those who have direct contact with the victim in order to increase their sensitivity and their effectiveness in relation to the consequences of victimization and the problems of victim recovery.
- 12) Programs should provide public education and attempt to increase public awareness of the problems of crime victims in order to improve the relationship between victims and the criminal justice system.

## c) Personnel

In order to deal with the number of clients served and the type of services offered, it may be appropriate to use paid staff and trained volunteers together so as to maximize services provided.

- 1) Paid staff should be utilized for administrative and fiscal management and for training.
- 2) Volunteers and student interns should be utilized in every aspect of service delivery possible, provided that they receive supervision by a staff member with experience in the type of service the volunteer is providing and ongoing training.

## d) Evaluation

In order to determine a program's effectiveness in addressing the needs of victims and witnesses, there should be both internal and external evaluation processes.

- 1) By examining internal statistical data, a program will be better able to identify areas of special need, optimal staffing patterns, and overall effectiveness of services delivered.
- 2) In order to evaluate the performance of services provided, it will be necessary to assess user satisfaction. This may be accomplished by contacting clients, evaluating the communities' perception of services offered, assessing the number of referrals made to the program, and obtaining judicial input.
- 3) Each program will be required to develop its program treatment philosophy (i.e., the general objectives which are the end result of the services provided). An evaluation process shall be developed which will be used to determine whether these goals are met.

(Source: Amended 28 SEP 1998 22 Ill. Reg. effective

17438

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## Section 110.110 Sexual Assault Programs

## a) Target Population

Programs or agencies should provide direct services to persons victimized by sexual assault. Women and children, being the overwhelming majority of victims, are the primary focus of services. However, male victims, family members and significant others should be offered the same services afforded the victim. (For the purposes of this Section these--Rules, "significant others" shall mean those persons who the victim perceives to be close to himself/herself and who have been affected by the crime.)

## b) Services Provided

The following list of services is intended to serve as an example for the development of a comprehensive sexual assault program. Not all programs will be able to provide all of the listed services, and some programs may be able to provide services in addition to those listed. However, in order to adequately address the needs of sexual assault victims, these services form the basis of a comprehensive program.

Programs providing services to these target populations will be examined, in the selection process, pursuant to Section 110.30(a)(7) 1100-30(g) to determine the extent to which the program conforms to these recommendations. When a program is providing the type of service contained in the recommendation, the manner in which it provides the service will be examined pursuant to the remaining criteria of Section 110.30.

- 1) A 24-hour crisis intervention hotline should be available to victims to provide information, referral, crisis intervention, and support. Direct response is preferred but not required.

## 2) Advocacy

A) Advocacy at both a personal and system level should be provided to assist in the proper care and treatment of victims of sexual assault, affected family members and significant others during medical, police or criminal justice proceedings.

B) In all cases 24-hour medical advocacy should be available.

## 3) Counseling

A) In-person, individual counseling for victims, affected family members and significant others should be provided as appropriate.

B) Counseling, both short- and long-term, should be provided by a trained sexual assault counselor, social worker, psychologist, or psychiatrist.

C) Therapy for child and adult victims should be provided by trained professionals, such as certified social workers, registered clinical psychologists, and psychiatrists.

D) Any professional providing counseling or therapy should have specialized training in the dynamics and treatment of sexual assault and sexual abuse.

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- 4) Group counseling and support sessions should be provided on both formal and informal levels. Counseling should be accessible to both recently and previously traumatized victims, affected family members and significant others.
  - 5) Referrals should be provided to appropriate resources within the community to meet the specific needs of the victim, affected family members and significant others.
  - 6) In-service training programs should be provided for professionals, volunteers and other staff who may be working with, or who may come into contact with, victims of sexual assault, affected family members or significant others.
  - 7) Programs should provide employer and school intervention services relating to loss of time from work due to court appearances or to victim recovery.
  - 8) Public education efforts should be an integral part of every program. Information on the personal and societal consequences of sexual assault and abuse, prevention and protective techniques, and program services available for victims, affected family members and significant others should be made available to the general public.
  - 9) Programs should assist victims, whenever possible, in obtaining necessary transportation to secure services and assistance.
  - 10) Programs should attempt, either directly or indirectly, to provide clothing or emergency funds to sexual assault victims to meet immediate needs.
  - 11) Follow-up services should be offered, upon request, to the individual, affected family members and significant others.
  - 12) Victims and witnesses should be notified of any available financial assistance, including but not limited to the funds available under the Crime Victims Compensation Act [740 ILCS 45].
- c) Personnel to Provide Services
- 1) Administrative functions, fiscal management and long-term counseling should be handled by paid professional staff and/or trained personnel.
  - 2) The use of trained volunteers is encouraged in all programs. Provided with training, professional guidance and supervision, and continuing in-service training, volunteer staff members serve to expand service opportunities and encourage community involvement.

## d) Evaluation

- 1) Internal evaluation should be a continuing process in sexual assault programs. The use of client statistical data in conjunction with fiscal reports and information concerning staffing patterns and service demands will provide the necessary information for goal setting, program changes and program development. Examples of client statistical data may include but need not be limited to: client intake records, type of service provided, length and frequency of services to individual clients,

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- 2) and age and sex of clients. External evaluation such as client surveys, community surveys, public comments, and community support in forms such as financial assistance and/or publicity should be compiled and used in planning.
- 3) Each program will be required to develop its program treatment philosophy (i.e., the general objectives which are the end result of the services provided). An evaluation process shall be developed which will be used to determine whether these goals are met.

(Source: Amended at 22 Ill. Reg. 17438, effective

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## Section 1100.120 Domestic Violence Programs

## a) Target Population

Programs should provide direct service to victims of domestic violence and their families. Women and their dependent children, being the overwhelming majority of domestic violence victims, are the primary focus of services. Male victims and their families cannot be excluded from services.

## b) Services Provided

The following list of services is intended to serve as an example for the development of a comprehensive domestic violence program. Not all programs will be able to provide all of the listed services, and some programs may be able to provide additional services. However, in order to adequately address the needs of domestic violence victims, these services form the basis of a comprehensive program. Programs providing services to these target populations will be examined, in the selection process, pursuant to Section 1100.30(a)(7) and (8) to determine the extent to which the program conforms to these recommendations. When a program is providing the type of service contained in the recommendation, the manner in which it provides the service will be examined pursuant to the remaining criteria of Section 1100.30.

- 1) A 24-hour crisis intervention hotline should be available to victims to provide information, referral, crisis intervention, and support. Direct response is preferred but not required.
- 2) In-person issue counseling of victims and affected family members should be provided.
- 3) Advocacy at both a personal and system level should be provided to facilitate access to, and proper treatment by, other agencies and systems affecting victims of domestic violence, such as law enforcement, the medical community, social services, the courts, and governmental agencies.
- 4) Safe shelter is a critical need of domestic violence victims and their families and should be provided whenever the agency



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determines it is feasible to do so. Whether directly provided by the program or otherwise made accessible through predetermined channels, shelter is a key element in preventing continued violence and aiding victim recovery.

- 5) Referrals should be provided to the appropriate sources within the community to meet the specific needs of the victim. When possible, programs should provide assistance in the areas of education and job training for victims.
  - 6) Group counseling and support sessions should be provided on both a formal and an informal level, in order to provide an opportunity for victims and their families to share experiences and knowledge as they deal with their current situations. These sessions should be accessible through all programs.
  - 7) Since transportation is frequently a problem for victims in their attempts to secure assistance and progress in their recovery, programs should assist victims in obtaining necessary transportation.
  - 8) Programs should provide employer and school intervention services relating to loss of time from work due to court appearances or to victim recovery.
  - 9) Since education and public awareness of the problem of domestic violence is essential in addressing that problem, all programs should maintain ongoing efforts to inform both victims and the public about the causes and consequences of domestic violence.
  - 10) Programs should make an effort to deal with the trauma experienced by children who live or have lived in a violent domestic environment. Specific children's services must be provided by trained staff. Qualified professionals should be utilized whether through the agency itself or by referral.
  - 11) Follow-up services should be offered to victims and family members in a manner appropriate to their needs and life situation.
  - 12) Because many victims of domestic violence are unable to escape a violent environment due to immediate lack of funds or short-term material needs, programs should attempt to provide assistance in these areas, either directly or indirectly.
  - 13) Domestic violence programs should provide training to others who may come into contact with domestic violence victims and their families.
  - 14) Victims and witnesses should be notified of any available financial assistance, including but not limited to the funds available under the Crime Victims Compensation Act [740 ILCS 45].
- c) Personnel to Provide Services
- 1) Administrative functions, fiscal management, and long-term counseling should be handled by paid professional staff and/or trained personnel.
  - 2) Provided with training, professional supervision, and continuing in-service programs, volunteer staff serve to expand service

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opportunities and to encourage community involvement.

- d) Evaluation
  - 1) Internal evaluation shall be a continuing process in domestic violence programs. The use of client statistical data in conjunction with fiscal reports and information concerning staffing patterns and service demands will provide the necessary information for goal setting, program changes and program development. Examples of client statistical data may include but need not be limited to client intake records, type of service provided, length and frequency of services to individual clients, and age and sex of clients.
  - 2) External evaluation such as client surveys, community surveys, public comments, and community support in forms such as financial assistance and/or publicity should be compiled and used in planning.
  - 3) Each program will be required to develop its program treatment philosophy (i.e., the general objectives which are the end result of the services provided). An evaluation process shall be developed which will be used to determine whether these goals are met.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 28 1998)

## Section 1100.122 Child Sexual Assault/Child Abuse Programs

- a) Target Population
 

Programs or agencies should provide direct services to child and adolescent victims, as well as non-offending parents and siblings.
- b) Services Provided
 

The following list of services is intended to serve as an example for the development of a comprehensive child sexual assault/child abuse program. Not all programs will be able to provide all of the listed services, and some programs may be able to provide services in addition to those listed. However, in order to adequately address the needs of child sexual assault/child abuse victims, these services form the basis of a comprehensive program. Programs providing services to these target populations will be examined in the selection process, pursuant to Section 1100.30(a)(7) to determine the extent to which the program conforms to these recommendations. When a program is providing the type of service contained in the recommendation, the manner in which it provides the service will be examined pursuant to the remaining criteria of Section 1100.30.

  - 1) Individual, in-office counseling for child/adolescent victims should be provided in a safe, child appropriate setting.
  - 2) Individual, in-office counseling should be provided for non-offending parents and foster/custodial parents in order to ensure the most comprehensive victim services for the child.



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- 3) Joint in-office counseling should be provided for parents and children where indicated.
- 4) Crisis phone counseling should be available for adolescent victims and for parents of victims.
- 5) Advocacy services should be provided for parents and children with law enforcement, medical providers, the judiciary, educational institutions, Department of Children and Family Services, public aid and other social service systems.
- 6) Information and referral services should be provided for parents and victims to appropriate resources within the community to meet the specific needs of children and their parents.
- 7) Group counseling, where appropriate, should be provided for both children and parents.
- 8) Public education efforts should be an integral part of every program. Information on the victimization of children and the effects of violence on their lives, as well as program services, should be made available to the general public.
- 9) Professional training on treatment and clinical interventions for community service agencies, hospitals, mental health centers and other social service providers in order to increase their sensitivity and their effectiveness in relation to the consequences of child victimization and recovery.
- 10) Networking with other community agencies and participating in coalitions and community groups providing related services to children will promote the development of a more effective comprehensive response to the needs of victims and their families.
- 11) Victims and witnesses should be notified of any available financial assistance, including but not limited to the funds available under the Crime Victims Compensation Act [740 ILCS 45].
- c) Personnel to Provide Services  
All staff should participate in a structured training program that addresses the issues of child sexual assault/child abuse. Direct service staff dealing with children shall have, at minimum, an M.A. in social work, counseling or a related field.

(Source: Added at 22 Ill. Reg. 17438, effective SEP 26 1996)

## Section 1100.124 Senior Victim Programs

- a) Target Population  
Programs or agencies should provide services to senior citizens who are victims of crime. Only agencies designated as an Elder Abuse Provider Agency and operating under contract with the Regional Administrative Agency of the Illinois Department on Aging will be able to receive and investigate elder abuse cases.
- b) Services Provided

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The following list of services is intended to serve as an example for the development of a comprehensive senior victim program. Not all programs will be able to provide all of the listed services, and some programs may be able to provide services in addition to those listed. Programs providing services to these target populations will be examined, in the selection process, pursuant to Section 1100.30(a)(7) to determine the extent to which the program conforms to these recommendations. When a program is providing the type of service contained in the recommendation, the manner in which it provides the service will be examined pursuant to the remaining criteria of Section 1100.30.

- 1) Programs should provide individual assessments to evaluate victim needs and work with the client to develop a care plan to address those needs.
- 2) Crisis intervention services appropriate to the victim's needs and abilities should be provided.
- 3) Information on the criminal justice system as well as assistance with pursuing legal options should be provided.
- 4) Programs should provide or arrange for suitable transportation to necessary services and resources.
- 5) Individual and family supportive counseling should be provided when needed.
- 6) Programs should educate victims about community services that are available for seniors.
- 7) In-service training programs for professionals, volunteers and other staff who may work with or come in contact with senior victims should be provided in order to sensitize them to the specific needs and problems faced by seniors.
- 8) Programs should participate in multi-disciplinary teams and other community groups and organizations dealing with senior issues.
- 9) Programs should provide assistance in meeting immediate material or safety needs of victims.
- 10) Social service, medical, and legal advocacy should be available when requested.
- 11) Public education should be an integral part of every program. Information on crime prevention, safety issues, and victimization should be made available to the senior population of the community.
- 12) Victims and witnesses should be notified of any available financial assistance, including but not limited to the funds available under the Crime Victims Compensation Act [740 ILCS 45].
- c) Personnel to Provide Services  
Direct services should be provided by trained staff, with qualifications being set appropriate to the services provided. Volunteer staff can be utilized effectively for certain functions if carried out under professional supervision.

(Source: Added at 22 Ill. Reg. 17438, effective

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## Section 1100.130 Programming for Other Victim Populations

Program descriptions for other categories of victim populations, such as families of homicide victims, elderly-victims-child-sexual-abuse-victims, disabled victims, and drunk driving victims are not detailed herein. Program development-is-still-in-its-infancy. Specific programs tailored to meet these needs will be evaluated on an individual basis using Section 1100.60. are-still-targetly-undetermined. Despite the lack of in-depth program development, these priority populations merit services. Agencies may apply for funding for programs serving other victim populations. The Administrator will give such applicants equal consideration in the selection of agencies to be funded.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 26 1998)

## Section 1100.140 Special Project Funding

## a) Special Projects

Any public or private non-profit agency that provides or coordinates services to victims and witnesses of crime may apply for special project funding under this Section these-Rules, either separately or in addition to funding for programs heretofore described in this Part.

1) Such projects must serve to implement an eligible service as defined in Section 8 of the Violent Crime Victims Assistance Act. For example, the translation of educational materials from English to another language may qualify as a special project insofar as it furthers the goal of providing public education on crime and crime victims.

2) Special projects should be designed to last for a specific period of time not-to-exceed-one-year.

3) Projects eligible for funding should have a specific goal. When this goal is accomplished, the special project is completed. A special project may not be an ongoing service. An example of a special project would be the translation of written materials for distribution to a target population.

## b) Target Populations

1) Agencies or programs that provide services to violent crime victims or witnesses, including but not limited to the target populations described heretofore in this Part these-Rules, may apply for special project funding provided that the proposed projects meet the eligibility criteria set forth in this Section section.

2) The population to be served must be defined both in terms of the type of victim and/or witness to be served and the victim issue to be addressed geographic-boundaries-of-the-service-delivery area. It is recommended that a needs assessment summary

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accompany such proposals. If an applicant does not submit a needs assessment summary, the applicant will be under no disadvantage in the selection process.

3) Agencies or programs requesting funds for training must detail the target population, the victim/witness population to be addressed, materials to be produced or utilized, proposed agendas, and anticipated time frames. Services must be designed to specifically address the needs of the particular victims and witnesses to be served.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 26 1998)

## SUBPART C: FISCAL AND MONITORING REQUIREMENTS

## Section 1100.200 Income Documentation and Accounting Requirements

## a) Income Documentation

Applicants must include, in the grant application, the amount of actual funding support, both actual and anticipated, from all local, State, and federal governmental agencies, and individual and private sources. Anticipated funding sources are those which an agency may be eligible for or which an agency has applied for.

## b) Accounting Requirements

1) Each Grantee shall establish and maintain a modified accrual accounting system in accordance with generally accepted accounting principles of the Financial Accounting Standards Board created by the Financial Accounting Foundation, 401 Merritt 7, P.O. Box 5116, Norwalk, Connecticut 06856-5116 (June 30, 1997, no subsequent dates or editions) American Institute of Certified Public Accountants (AICPA) (June 1994) to include a level of documentation, classification of entries, and audit trails, to meet reporting requirements as prescribed by the Administrator in Section 1100.250(a).

2) All accounting entries must be supported by appropriate source documents, recorded in books of original entry, and posted to a general ledger on a monthly basis.

3) For programs funded by the Administrator, expenses are to be recorded by specific program. All other expenses not funded by the Administrator may be booked in total.

4) All fiscal records must be maintained by the Grantee for five years after the end of each budget period. In instances involving unresolved issues arising from an audit, pending litigation or unresolved tax issues, records related to the unresolved issues must be retained until the issues are resolved.

(Source: Amended SEP 26 1998 at 22 Ill. Reg. 17438, effective SEP 26 1998)



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## Section 1100.210 Allowable and Non-allowable Expenses

The Administrator provides funds for services offered by victim and witness centers as specified in this Section with no intention of being the sole funding source. The Administrator will provide funds to programs for the purpose of funding certain items of expense as detailed herein, but in no instances will the Administrator be the sole funding source for the Grantee.

- a) The following expenditures are not allowable expenses from grant funds.

- 1) Research - Research expenses are not allowable expenses from grant funds.
- 2) Compensation for Agency Board Members agency-board-members - Disbursements of funds to an agency board member who does not also perform in a work capacity on behalf of the agency are not allowable expenses. (This does not preclude the provision of transportation and travel expenses related to attending agency board meetings or other official agency-related business.)
- 3) Entertainment - The expense of non-client entertainment is not allowable from grant funds. A client is a person currently receiving direct services from the agency.
- 4) Dues and Costs costs of Attending Professional Meetings attending professional-meetings - Individual or agency association dues or costs of attending professional meetings which do not involve issues directly related to services being provided by the agency are not allowable expenses from grant funds. Attendance by staff at workshops, seminars, etc., as part of in-service training related to services being provided by the agency, is an allowable expense.
- 5) Transportation - The use, or reimbursement for use, of agency- or privately-owned automotive equipment, or reimbursement-for-user by staff for personal business or non-work-related transportation, is not allowable from grant funds.
- 6) Fund-raising and Promotional Expense promotional-expense - Fund-raising activities are not allowable expenses from grant funds.
- 7) Charity, Grants grants and Professional Discounts professional discounts - Charity, grants and professional discounts are not allowable expense items from grant funds. Charity is defined as the donation of cash or in-kind services to other organizations and individuals external to the program activities approved by the Administrator. Grants are defined as awards to organizations, programs and/or individuals, external to the program activities of the agency. Professional discounts are defined as reductions in fee assessments to individuals or families because of professional status (i.e., doctor, educator, etc.).
- 8) Non-client Meals meals - Non-client meals are not reimbursable expenses from grant funds. Non-client meals are defined as meals

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consumed by parents, guests and staff when their attendance with the client is not programmatically mandatory.

## 9) Rentals

- A) Rental income - Any rental income received by the Grantee must be used to reduce the allowable expense for the item rented.
  - B) Rental costs of buildings and equipment - Rental costs for buildings and equipment that which do not exceed the local market value for these items and that which are related to program services to clients are allowable expenses.
- 10) Loan Agreements - The repayment of the principal amount of any loan is not a reimbursable expense. (Example: If a fund recipient borrowed \$10,000-00 for operating expenses, the repayment of the \$10,000-00 principal amount is not a reimbursable expense, but the expenses paid with the principal may be reimbursable.)

## 11) Interest

- A) Interest-income interest-income-from-investments-made-from-excess-operating-funds-must-be-offset-against-allowable-interest-expense-reimbursable-from-award-funds
- B) Interest-Expense interest-expense-paid-on-borrowed-funds-used-to-purchase-land-building-and/or-equipment-which-are-required-to-provide-direct-services-to-clients-or-are-related-to-client-services-is-a-reimbursable-expense-from-award-funds-The-items-purchased-must-actually-be-in-use-the-following-items-of-interest-expense-are-not-reimbursable-from-award-funds

- i) Funds-borrowed-for-investment-purposes
- ii) Funds-borrowed-to-create-working-capital-in-excess-of-two-months-operating-costs
- iii) Funds-borrowed-for-the-personal-benefit-of-employees-officers-boards-of-directors-members-or-owners-of-the-fund-recipient

- 112) Lease Agreements - Lease and lease-purchase agreements for items of equipment and buildings are reimbursable from grant funds on an allocation basis to the funded program. If the agreement covers the servicing of the items and/or supplies used in the operation of the leased item, whether as a separate amount or a combined amount, these expenses are reimbursable on the same basis from grant funds.

- 123) Inventories - The cost of developing supply inventories by an agency is not allowable from grant funds. Inventories are assets rather than expenses of the fiscal year's operations. The grant program is to fund only current expense operations. Usage from inventories is an expense and is reimbursable from grant funds.

- 134) Sales of Goods or Services - Any expense incurred by a Grantee



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for the sale of goods or services is not reimbursable and may be offset against sales revenue.

1415) In-kind Contributions - The Administrator recognizes in-kind contributions both as a source of income and as an expense of operations. The cost of in-kind services is not a reimbursable expense.

1516) Duplicate Funding - Grant funds shall not be used to reimburse expenses that which must, in accordance with the requirements of other funding sources, be reimbursed by the other funding source.

1617) Contingencies - Contributions to a contingency reserve or any similar provision for unforeseen events are not reimbursable.

b) The following expenditures are allowable expenses from grant funds.

- 1) Salaries and fringe benefits for employees of the program or support personnel are allowable from grant funds. Examples of employees or support personnel are counselors, advocates, bookkeepers, accountants, etc.
- 2) Contractual employment for program or support staff is an allowable expense from grant funds.
- 3) Rental or occupancy costs for space used by the funded program are allowable expenses from grant funds.
- 4) Purchase of Equipment
  - A) The purchase of equipment is an allowable expense. Any and all capital equipment purchased with grant funds awarded under the Grant Agreement (including or any amendment, modification, or supplement thereto), shall be used exclusively by the Grantee to perform the services agreed upon in the Grant Agreement or any amendment, modification, or supplement thereto. If at any time during the term of the Grant Agreement Grantee ceases to use such capital equipment to perform the services agreed upon in the Grant Agreement or any amendment, modification, or supplement thereto, Grantee shall immediately deliver and turn over to the Administrator such item or items of capital equipment in the same operating order, repair, condition, and appearance as of the date of purchase, excepting only for reasonable wear and tear and depreciation resulting from the authorized use thereof, and in conjunction therewith, Grantee shall execute and deliver any and all documents necessary to convey marketable title, custody, and possession of such capital equipment to the State of Illinois. After the expiration or earlier termination of the Grant Agreement, if at any time during the useful life of any such capital equipment grantee ceases to use such capital equipment for a purpose consistent with the purposes of the Violent Crime Victims Assistance Act, as amended, Grantee shall immediately deliver and turn over to the Administrator such item or items of capital equipment, and, in conjunction therewith, Grantee shall execute and deliver any and all documents

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necessary to convey marketable title, custody, and possession of such capital equipment to the State of Illinois. This Section shall survive the expiration or earlier termination of the Grant Agreement or any amendment, modification, or supplement thereto.

- B) As used in this Section, capital equipment means items of personal property used for the conduct of the Grantee's business or used to enable the Grantee to perform the services agreed upon in the Grant Agreement, including, but not necessarily limited to, office furniture, typewriters, copy machines, computers, appliances, and printing machines and motor vehicles.
- 5) Equipment that is rented or leased for program use is an allowable expense from grant funds.
- 6) General office expenses such as postage, duplicating, office supplies, telephone costs, and maintenance are allowable expenses from grant funds.
- 7) Advertising costs directly related to program activity are allowable expenses from grant funds.
- 8) Inservice costs ~~Bues~~, ~~subscriptions~~ and conference registrations are allowable expenses for training items directly related to program activity.
- 9) Travel expenses and transportation costs are allowable expenses for victims and witnesses and staff members performing work related functions.
- 10) Program and training supplies are allowable expenses when directly related to the services funded in the Grant Agreement.
- 11) Printed materials used for informational purposes or to publicize the program are allowable expenses from grant funds. All printed materials paid for, in whole or part, with funds provided pursuant to the Grant Agreement shall specify within such printed materials that the funds utilized in the printing of such materials were received from the Illinois Attorney General's Violent Crime Victims Assistance Program and that the views and statements expressed therein do not necessarily reflect the views and opinions of the Attorney General of the State of Illinois or the Illinois Violent Crime Victims Assistance Program. [725 ILCS 240].

(Source: Amended SEP 28 1998 22 Ill. Reg. 17438, effective SEP 28 1998)

## Section 1100.218 Interest

- a) Interest income earned from award funds shall be used for expenses that further the provision of direct services to clients, consistent with the provision of service stated in the Grant Agreement. Such expenses shall not exceed \$500 in any fiscal year. Interest income

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earned in excess of \$500 shall be returned to the Administrator with the next quarterly report.

Interest income earned from award funds and expenses paid from such interest income shall be reported on quarterly reports as separate items from other expenses against the grant award.

- b) In addition to the allowable expenses listed in Section 1100.210 (b), interest income may be used to pay interest expenses on borrowed funds used to purchase land, buildings, and/or equipment that are required to provide direct services to clients, or are related to client services. The items purchased must actually be in use.

- c) In addition to the non-allowable expenses listed in Section 1100.210(a), interest income shall not be allowed to pay for:

- 1) Interest expense on funds borrowed for investment purposes;
- 2) Interest expense on funds borrowed to create working capital in excess of two months operating costs;
- 3) Interest expense on funds borrowed for the personal benefit of employees, officers, boards of directors, members or owners of the fund recipient.

(Source: Added at 22 Ill. Reg. effective

17438

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## Section 1100.220 Audits

- a) Each Grantee agency shall have an annual audit performed at the close of its fiscal year. This audit is to be performed in accordance with generally accepted auditing standards by an independent certified public accountant registered by the State of Illinois. The resulting audit report is to be prepared in accordance with the Generally Accepted Accounting Principal of the Financial Accounting Standard Board (as incorporated in Section 1100.200(b)(1) of this Part) applicable--American-Institute-of-Certified-Public-Accountants-(AICPA) (1984)-industry-audit-guide. The report shall contain the basic financial statements presenting the financial position of the agency, the results of its operations, and changes in fund balances. The report shall also contain the auditor's opinion regarding the financial statements taken as a whole, or an assertion to the effect that an opinion cannot be expressed. If the auditor expresses a qualified opinion, a disclaimer of opinion, or an adverse opinion, the reason through therefore must be stated.

- b) Audit Report

- 1) Private not-for-profit agencies must submit a copy of their most recently completed audit with the grant application.
- 2) Governmental entities must have on site a copy of their most recently completed audit for review by the Administrator during site visits.
- 3) Agencies with a total budget of under \$4,000, or who have been in operation less than a year at the time of filing a grant

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application, may request an exemption to the audit requirement, but must submit a financial statement detailing revenue sources and expenses.

- 1) The latest audit report is to be filed with the Office of the Attorney General, Crime Victims Division, Violent Crime Victims Assistance Program within 120 days of the end of the Grantee's fiscal year. One copy is to be filed with the Administrator.

- 2) Request For An Extension of Time to File An Audit Report  
A) A request for an extension of time to file an audit report must be submitted in writing 60 days prior to the deadline for filing the audit report. This request must be approved or disapproved within 30 days of the deadline for filing the audit report. A request for an exception to these audit requirements must be submitted in writing 60 days prior to the deadline for filing the audit report. This request must be approved or disapproved within 30 days of the deadline for filing the audit report. Requests are to be directed in writing to the Supervisor of the Violent Crime Victims Assistance Program.

- B) A request for an extension of time to file an audit report shall be granted whenever the auditor submits a signed statement certifying that the audit cannot be completed in the designated time due to circumstances beyond the control of the auditor and the agency. The auditor's statement must also detail the circumstances which form the basis for this request. No extension shall be for a period greater than 30 days. A request for an exception to the audit requirements shall be granted to all agencies with a total budget under \$2,500.

- 3) Agencies failing to meet the requirements of Section 1100.220(b) will not be considered for funding in the funding cycle immediately following the violation.

- c) The following supplementary financial information for each fiscal year must be included in the audit reports:

- 1) Schedule of Income by Source  
A) This schedule is to be developed using the same source classifications as pre-printed on the agency application Grant Agreement and required reports.

- B) Individual sources of income should not be combined. For example, funds received from several state or federal agencies should not be combined into one classification such as "State of Illinois" or "Federal Government".

- 2) Schedule of Operating Expenses by Program--Operating Fund  
A) In the Administrator's instructions and forms, the term "operating fund" includes all funds an agency may have in its accounting records except those in a capital fund or contingency reserve.

- B) The certified public accountant should record the expenses



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by program using the operating expense categories as pre-printed on the grant application and required reports. The resulting statement is to include funded and unfunded programs. At the time it is to reflect program expenses in accordance with the Administrator's reporting requirements as contained in Section 1100.250(a), including an allocation of administrative expenses and overhead costs to the various programs not to exceed 15% of the agency's total budget. The independent auditor should clearly establish his or her position regarding the reliability of the supplementary financial information presented in the schedules of income by source and expenses by program operating fund, in addition to rendering an opinion concerning the financial statements as a whole. This can be done either by extending the overall opinion on the financial statements or by means of a supplementary opinion. If the independent auditor determines that the additional procedures necessary to permit a supplementary opinion to be rendered on the schedule of operating expenses would materially increase the audit time, the auditor may, alternatively, state the most likely source of the necessary information and the extent of the examination and responsibility he or she assumed in the manner of a disclaimer to call attention in the statement to any questions he or she may have as to the quantity, source or destination of the agency's operating funds. The independent auditor should communicate in written form any material weakness in the agency's internal controls when it impacts on the Administrator's funding. Copies of these communications are to be forwarded to the Administrator with the audit report.

(Source: Amended Ill. Reg. effective SEP 26 1998)

## Section 1100.230 Grant Agreement

- a) Definition  
The Grant Agreement is the finalized obligating instrument between the Administrator and the Grantee. It serves as the formal statement of mutual expectations between the Administrator and the Grantee. The Grant Agreement is a combination service plan and budget. It identifies what services will be provided or procured, to what target population and within what geographical area.
- b) Term  
The term of the agreement is as specified in the Grant Agreement unless sooner terminated as provided in this Section section.
- c) Provision of Services  
Those sections of the proposal the Administrator has accepted shall be

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referenced in section 2 of detailed-in-narrative-form-in the Grant Agreement.

- 1) The Grantee shall maintain an accounting system acceptable to the Administrator, as required by Section 1100.200(b), for the implementation and maintenance of the services as provided in the Grant Agreement.

- 2) Financial and activity reports shall be submitted by the Grantee to the Administrator as set forth in Section 1100.250.

## d) Modification of Program

The Grantee shall not change, modify, revise, alter, amend, or delete any part of the services it has agreed to provide in the Grant Agreement without first obtaining the written consent for such change, modification, revision, alteration, amendment, deletion, or extension from the Administrator in the form of a Supplemental Agreement.

- 1) When the Grantee has demonstrated that in good faith it has attempted to comply with the provisions of the Grant Agreement, but for unforeseen circumstances was not able to comply with the Grant Agreement, a Supplemental Agreement would be considered. An example will be: funding provided for a new staff position, but the Grantee was not able to locate a qualified candidate to fill the position and has demonstrated an intent to hire a new staff person.

## 2) Procedures for a Supplemental Agreement

A) The Grantee must notify the Administrator and identify the variance as set forth in Section 1100.230(h).

B) The Grantee shall submit a written explanation for the variance with a solution and a new proposed budget for expending funds with a request for a Supplemental Agreement.

C) The request and explanation is review by the Administrator and approved if the new request is consistent with the original intent of the agency's application and services to victims and witnesses, and is an allowable expense under Section 1100.210(b).

D) Upon approval of the request by the Administrator, the administrator will prepare a Supplemental Agreement is prepared, following the Grant Agreement format, to be and signed by both parties.

## e) Execution Responsibilities

The Administrator will be responsible for preparing the Grant Agreement and any Supplemental Agreements. The Grantee must sign all copies and return them to the Administrator Supervisor. The Administrator Supervisor will then secure the appropriate Administrator's signature and return a copy to the Grantee.

## f) Procedures for Disbursement of Funds

The Administrator will disburse funds to funded programs in accordance with the fully executed Grant Agreement.

- 1) The Grantee's responsibility is to sign and return the Grant Agreement.



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- 2) The Administrator's responsibility is to forward grant funds in a timely manner upon receipt of the signed Grant Agreement.

## g) Principles

All funded programs are responsible for the delivery or procurement of services and the accounting of expenditures specified in the Grant Agreement. Any variance between the Grant Agreement and the program's actual performance will be reviewed by the Administrator's staff.

## h) Procedures for Review

- 1) During the grant year, events may take place that result in variances between the Grant Agreement and the program's actual performance. These variances in performance may be either temporary or permanent in nature.

A) A temporary variance is a difference between the Grant Agreement and actual performance that is caused by a short-lived event or circumstance that will not adversely affect a program's ability to perform as outlined in the Grant Agreement except in the short term. Best estimates of the program's future activity would indicate the appropriateness of staying with the current Grant Agreement rather than changing it to meet the unusual and temporary circumstances. In other words, the causes of temporary variances are, by their nature, not sufficient reason to change the approved Grant Agreement. Examples would be: replacement or illness of a staff member thereby leaving a position vacant for a short period of time or the change in the location of service delivery.

B) A permanent variance is a difference between the Grant Agreement and actual performance that is caused by an event or circumstances that significantly alter expectations about the program's future activity in terms of the program's ability to perform as outlined in the approved Grant Agreement. The causes of a permanent variance are such that a new Supplemental Agreement Grant-Agreement will have to be negotiated between the program and the Administrator. Examples would be: the abolition of a grant funded staff position or the permanent loss of a facility such as a shelter.

- 2) It is the responsibility of the Administrator to exercise a review function for all Grantees, assuring accountability for the services and costs established in the Grant Agreement. Review of variances will be a part of this function.

i) Identification of a variance is primarily the responsibility of the Grantee.

- 1) Upon identifying a permanent variance the Grantee should immediately notify the Grant Monitor and forward any required documentation necessary to negotiate a Supplemental Agreement.

2) Identification of a temporary variance should be noted in the

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- j) appropriate section of the required reporting forms.

## Grant Cancellation

The sanctions outlined herein for cancellation of the Grant Agreement will be undertaken only after the Administrator has made reasonable efforts to reach an acceptable resolution with the Grantee.

- 1) The following are bases for cancellation of a Grant Agreement.

## A) Failure to File Required Reporting Forms

This occurs when a Grantee fails to submit the required reporting forms to the Attorney General's Office within the designated time limits and no written exception or extension has been made by the Administrator.

- i) An exception or extension must be requested prior to the end of the reporting period. Extensions will be granted for no more than 15 additional days for reasons related to the Grantee's ability to complete the form on time, not for reasons related to the completion of services.

ii) Exceptions will be granted in instances where the provision of service has been completed and reported in an earlier reporting period. An example would be a funding request for printed materials completed and reported on in the first 3 months.

## B) Non-compliance with the Charitable Trust Act and the Solicitation Act

All applicant agencies not exempt under the Charitable Trust Act [760 ILCS 55] ~~shall~~ ~~Rev. Stat. 1985, ch. 147, par. 51-52~~ ~~and the Solicitation for Charity Act [225 ILCS 460] AN Act to regulate solicitation and collection of funds for charitable purposes, providing for violations thereof, and making an appropriation therefor.~~ ~~111 Rev. Stat. 1985, ch. 29, par. 5181-5182~~ ~~et seq.~~ must demonstrate that they are in compliance with the requirements of those Acts. Compliance shall be verified by having the applicant submit their Charitable Trust number in the application, which will then be forwarded to the Attorney General's Charitable Trust Bureau for verification of their current status. Such proof shall consist of their registration number and a letter from the Charitable Trusts Division confirming they are current in the filing of their financial reports with the Charitable Trusts Division of the Illinois Attorney General's Office.

## C) Failure to Repay Lapsed Funds

Non-compliance with any agreement for the repayment of lapsed funds may ~~shall~~ be cause for cancellation.

## D) Non-compliance with the Service Provisions

Non-compliance with the service provisions specified in the Grant Agreement shall be cause for cancellation pursuant to this subsection (i) Section 1100-239(j).

- 2) Non-compliance with the Grant Agreement does not always result in

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the initiation of cancellation procedures.

A) Non-compliance is not always intentional on the part of a Grantee as described in subsection Section 1100-230(d)(1) of this Section. In every instance, efforts are made to secure compliance before cancellation proceedings are initiated.

B) Willful non-compliance by a Grantee will result in cancellation. An example would be: the misappropriation of grant funds (i.e., monies are granted to provide salary for identified staff for program services; funds are instead utilized for personal expenses of non-allowable expenses).

C) If all the Administrator's efforts to obtain the Grantee's compliance are met with negative results, then cancellation proceedings are initiated.

3) Upon decision to cancel an existing Grant Agreement the Administrator will send written notification to the Grantee ~~thirty~~ 30 days prior to the cancellation date. The conditions under which the grant is canceled shall be detailed, as well as the procedure for the repayment of unexpended funds or monies due the Administrator.

4) Failure to comply with the procedures prescribed for repayment of funds due to cancellation of the Grant Agreement will result in the implementation of the provisions of the Illinois Grant Funds Recovery Act [30 ILCS 705] ~~1111-Rev-Stat-1995-ch-127-par-2301-et-seq-7~~.

(Source: Amended SEP 26 1998 22 Ill. Reg. 17438, effective

## Section 1100.240 Lapsed Funds

a) Grant funds not expended as outlined in the effective Grant Agreement are considered lapsed.

b) Procedures Governing Lapsed Funds  
1) If the programmatic expenses of a Grantee are less than the approved allocation level, the Grantee is to indicate, in writing, one of the following options:

A) Request for Reallocation of Lapsed Funds  
i) Lapsed amounts of less than \$1,000 or 10% of the grant funds shall be reported to the Administrator. The Grantee shall certify in writing that these funds have been reallocated and will be expended in accordance with the Grant Agreement, i.e., reallocated to existing line items in the budget in accordance with the provisions of section 2 of the Grant Agreement.

Such changes shall be noted in the reporting forms.  
ii) Lapsed amounts of less than \$1,000 or 10% of the grant funds which a Grantee wishes to reallocate to an

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expense that which creates a new line item in the approved budget must be reported to the Administrator along with a written request for reallocation. The approved budget refers to the two page "Violent Crime Victims Assistance Act Program Project Budget" and the narrative detail of expenditures in section 2 of the Grant Agreement. This document is signed and approved in Section 1100.230 Sections 1100-200--and 1100-210.

iii) Lapsed amounts of \$1,000 or more which are in excess of 10% of the grant funds shall be reported to the Administrator. The Grantee may submit a written explanation of the underexpenses and a detailed request for reallocation of the funds.

iv) The Administrator may grant a reallocation of lapsed funds when the Grantee demonstrates, pursuant to Subsections (b)(1)(A)(ii) and (iii) of this Section ~~Section 1100-240(b)(1)(A)(ii)~~, that the funds will be used for allowable expenses. If the Administrator approves the reallocation, it shall so inform the Grantee in writing and shall work with the Grantee to accommodate the reallocation of funds in the form of a Supplemental Agreement in circumstances where appropriate.

v) If the Administrator does not approve a reallocation, it shall inform the Grantee of this decision within 30 days after of receipt of the request.

## B) Agreement to Lapse

If no explanation for unexpended funds or justification for a reallocation of funds is received by the Administrator, the funds will automatically lapse.

2) When a lapse occurs without a valid request for reallocation of the funds being approved by the Administrator, the Administrator and Grantee shall negotiate a proper mechanism for the return of the funds consistent with the Illinois Grant Funds Recovery Act [30 ILCS 705] ~~1111-Rev-Stat-1995-ch-127-par-2301-et-seq-7~~. The lapsed funds, however, must be returned to the Administrator within 45 days following the end of the Grant Agreement (see 30 ILCS 705/5).

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 26 1998)

## Section 1100.250 Reporting Forms

a) Reporting forms provide the following expenditure and client service records: detailed statement of costs, fiscal summary, statistics on



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the number of clients served and services provided, variances, staffing information, and requested revisions and adjustments. All reporting forms must be received by the designated Grant Monitor no later than 15 days following the end of the reporting period.

## b) Required Reports

1) Grantee shall submit to the Administrator financial and activity reports every three months for the previous three-month period. Such reports shall be on forms specified by the Administrator. All reporting forms must be received by the Administrator no later than fifteen (15) days following the end of the reporting period. Such reports shall detail clients served, services provided, expenditures, and revisions, if any, of time-tables and activities to reflect the current program status and future activity.

2) Any agency that submits quarterly reports that are more than 3 days late on two occasions during the grant year will be penalized by a 2% reduction in funding during the next grant period.

3) Extensions of up to 2 weeks may be granted by the grant monitors. Written confirmation of an extension from the grant monitor shall be attached to the reporting form when submitted.

4) The final report shall also include in addition to the completed form as provided by the Administrator, a completed program evaluation as described in the grant application, and an annual agency report if available.

c) The Grantee shall also make available all financial records, client contact records, and case records in connection with funded programs. In making case records available the Grantee shall insure the confidentiality of each client pursuant to the Grantee's confidentiality standards.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 28 1998)

## Section 1100.260 Appeals Process

a) A Grantee may appeal an action taken by the Administrator that pertains to Section Sections 1100.220, 1100.230, 1100.240 or 1100.250. A Grantee shall appeal the action in writing by filing with the Administrator within 14 days from the day the notice of the action is mailed to the Grantee. The appeal shall be sent to the Office of the Attorney General, Grants Coordinator Supervisor of the Violent-Crime Victims Assistance Program, Crime Victims Department Division, 100 174 West Randolph, 11th floor, Chicago, Illinois 60601. The appeal shall be signed by the Grantee's authorized official. This written appeal shall contain specific reasons stating why the action taken by the Administrator should be modified and shall state the action requested of the Appeals Committee. If no timely appeal is filed on an action,

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such action shall be deemed to be the final action of the Administrator.

b) When an appeal is timely filed, the Grants Coordinator Supervisor shall arrange for the Appeals Committee to hear and to decide the appeal within 30 days after of the receipt of the written appeal. The Appeals Committee shall consist of the Grants Coordinator Supervisor, the Chief of the Budget and Fiscal Bureau the Chief of the Crime Victims Division, two three Grant Monitors, two three members of the Violent Crime Victims Advisory Commission, and counsel representing the Attorney General's Office. The Grants Coordinator Chief of the Crime Victims Division shall serve as the presiding officer of the Appeals Committee. The party shall have the right to appear before the committee and to be represented at the hearing by counsel. The party appealing shall be notified of the hearing date at least 7 days prior to the hearing.

c) At the hearing, the Appeals Committee shall consider the written answer to the action submitted pursuant to subsection (b) Section 1100-260(b), any written response to that appeal by staff, and any testimony given by the Grantee or staff to questions posed by the Appeals Committee members. The original decision would have to be found contrary to the evidence originally presented by the Grantee, and a simple majority vote by the Appeals Committee would be desirable. The basis for determination by the Appeals Committee would be: whether the request is realistic and obtainable; availability of funds; quality of program services; previous compliance with the Administrator's requirements; and a majority vote of the Appeals Committee. The Appeals Committee shall render a decision on the appeal before adjourning the hearing. A written statement of the decision will be forwarded to the Grantee within 10 working days after of the hearing.

(Source: Amended at 22 Ill. Reg. 17438, effective SEP 28 1998)



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- 1) Heading of the Part: Administration of the Illinois Public Community College Act
- 2) Code Citation: 23 Ill. Adm. Code 1501
- 3) Section Numbers:

1501.114	Adopted Action:
1501.201	Amendment
1501.308	Amendment
1501.501	Amendment
1501.510	Amendment
1501.522	New
- 4) Statutory Authority: 110 ILCS 805/2-12, 110 ILCS 805/2-15, and 110 ILCS 805/2-16.02.
- 5) Effective Date of Rulemaking: July 10, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this rulemaking contain incorporations by reference? No
- 8) A copy of the adopted amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Notice of Proposal Published in Illinois Register: July 11, 1997, 21 Ill. Reg. 8745
- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version: Several minor changes recommended by JCAR were made.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes
- 13) Will this rulemaking replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: The amendments to the ICCB rules regarding recognition are a result of a thorough review of the recognition process for the upcoming five-year cycle. The amendments to reporting requirements is a result of the establishment of uniform financial accounting and reporting standards and principles for reporting financial data to the ICCB. The new rules regarding Deferred Maintenance Grants are needed to administer grant funds in the fiscal year 1998 system operating

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budget request to be used by community colleges for miscellaneous noncapital deferred maintenance improvement such as minor rehabilitation, remodeling, improvements, and repairs.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Name: Jill A. O'Shea  
 Address: Director for Governmental Relations  
 Illinois Community College Board  
 401 East Capitol Avenue  
 Springfield, Illinois 62701-1711  
 Telephone: (217)785-0213

The full text of the Adopted Amendment begins on the next page:

## ILLINOIS COMMUNITY COLLEGE BOARD

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 23: EDUCATION AND CULTURAL RESOURCES

## SUBTITLE A: EDUCATION

## CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

## PART 1501

## ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

## SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

## Section

1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements (Repealed)
1501.112	Certification of Organization (Repealed)
1501.113	Administration of Detachments and Subsequent Annexations
1501.114	Recognition

## SUBPART B: LOCAL DISTRICT ADMINISTRATION

## Section

1501.201	Reporting Requirements
1501.202	Certification of Organization
1501.203	Delineation of Responsibilities
1501.204	Maintenance of Documents or Information
1501.205	Recognition Standards (Repealed)

## SUBPART C: PROGRAMS

## Section

1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, Campus, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

## SUBPART D: STUDENTS

## Section

## ILLINOIS COMMUNITY COLLEGE BOARD

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## Section

1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements

## SUBPART E: FINANCE

## Section

1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Nonresident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Special Populations Grants
1501.509	Workforce Preparation Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grants
1501.516	Capital Renewal Grants
1501.517	Retirees Health Insurance Grants
1501.518	Uncollectible Debts
1501.520	Lincoln's Challenge Grants
1501.521	Technology Enhancement Grants
1501.522	Deferred Maintenance Grants

## SUBPART F: CAPITAL PROJECTS

## Section

1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.3.01 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act
1501.610	Demolition of Facilities

## SUBPART G: STATE COMMUNITY COLLEGE

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April 22, 1997; amended at 22 Ill. Reg. 2087, effective January 12, 1998; amended at 22 Ill. Reg. 17472, effective JUL 10 1998.

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section 1501.114 Recognition

a) Recognition Provisions

- 1) Recognition Status. A district will be granted a status of recognition continued, recognition continued-with conditions, or recognition interrupted.
- 2) Effect of Recognition Continued. A district which has been granted the status of recognition continued will be entitled to receive ICCB grants for which it is otherwise entitled and eligible.
- 3) Effect of Recognition Continued-With Conditions. A district which has been assigned the status of recognition continued-with conditions will be entitled to receive ICCB grants for which it is otherwise entitled and eligible, but it will be given a specified time to resolve the conditions which led to its assignment to that status. A follow-up visit will be scheduled not sooner than three nor later than nine months after ICCB action on the assignment to determine the district's progress in resolving the conditions.
- 4) Effect of Recognition Interrupted. A district which has been assigned a status of recognition interrupted may apply for recognition at such time as all requirements set forth by the ICCB have been satisfied. A district on recognition interrupted status will have state funding suspended on a prorata, per diem basis for the period of time for which such status is in effect.
- 5) Recognition Action. Recognition is considered to be continuous unless action is taken to interrupt it. The ICCB will act on the recognition status of each district at the meeting subsequent to the ICCB recognition report being received. A district which previously has not been granted a recognition status by the ICCB may apply for a recognition status at any time. A district which has the status of recognition continued shall apply for a continuation of that status at least 30 thirty days prior to a scheduled recognition team visit.

- b) Evaluation. The ICCB staff recognition team will conduct an in-depth on-site evaluation of each district at least once every five (5) years. Additional or alternate focused evaluations may be conducted scheduled to review circumstances of alleged gross noncompliance with ICCB standards. The purpose of the evaluation will be to determine compliance with ICCB standards. The evaluation may include an on-site visit. No district will be assigned a recognition status without having received a prior in-depth on-site evaluation. A district will receive a draft report of the recognition team's

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1501.701 Definitions of Terms  
1501.702 Applicability  
1501.703 Recognition  
1501.704 Programs  
1501.705 Finance  
1501.706 Personnel  
1501.707 Facilities

SUBPART H: PERSONNEL

Section  
1501.801 Definition of Terms  
1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Articles II and III and Section 6-5.3 of the Public Community College Act [10 ILCS 805/Arts. II and III and 6-5.3].

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14659, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 13 Ill. Reg. 1182, Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 14904, effective September effective January 13, 1989; amended at 14 Ill. Reg. 299, effective November 9, 1989, for a maximum of 150 days; emergency amendment expired on April 9, 1990; amended at 14 Ill. Reg. 4126, effective March 1, 1990; amended at 14 Ill. Reg. 10762, effective June 25, 1990; amended at 14 Ill. Reg. 11771, effective July 9, 1990; amended at 14 Ill. Reg. 13997, effective August 20, 1990; expedited correction at 18 Ill. Reg. 3027, effective August 20, 1990; amended at 15 Ill. Reg. 10929, effective July 11, 1991; amended at 16 Ill. Reg. 12445, effective July 24, 1992; amended at 16 Ill. Reg. 17621, effective November 6, 1992; amended at 17 Ill. Reg. 1853, effective February 2, 1993; amended at 18 Ill. Reg. 4635, effective March 9, 1994; amended at 18 Ill. Reg. 8906, effective June 1, 1994; amended at 19 Ill. Reg. 2299, effective February 14, 1995; amended at 19 Ill. Reg. 2816, effective February 21, 1995; amended at 19 Ill. Reg. 7515, effective May 26, 1995; amended at 21 Ill. Reg. 5891, effective



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findings no later than thirty (30) days after the conclusion of the evaluation on-site-visit. The district will have 30 days to review the draft report, respond to compliance recommendations, and return the responses to ICCB. A final report will be presented to the ICCB at its next regularly scheduled meeting and will include the district's responses to the draft report's findings. Accompanying the final report will be the evaluating team's recommendation for recognition status.

c) Review and Appeal. The ICCB may place a district on a recognition interrupted status for failure to meet ICCB standards after being assigned a status of recognition continued-with conditions and receiving a follow-up evaluation visit if the district has not resolved the conditions within the stated time allowed. Any district whose recognition is interrupted may file a written request with the ICCB for a hearing on the decision in accordance with Section 1501.110. Pending the hearing and decision, any consequences of recognition interrupted will be suspended.

d) Recognition standards. The recognition standards by which a district will be evaluated for recognition purposes will be the applicable statutes within the Public Community College Act and applicable ICCB rules.

(Source: Amended at 17478 Ill. Reg. effective JUL 10 1998)

## SUBPART B: LOCAL DISTRICT ADMINISTRATION

## Section 1501.201 Reporting Requirements

Complete and accurate reports shall be submitted by the district/college to the ICCB in accordance with ICCB requirements and on forms provided by the ICCB, where applicable.

Listed below is the schedule of due dates indicating when items from the community colleges are due at the Illinois Community College Board Office:

- January 1 - construction project status reports (see Section 1501.607(a))
- January 31 - certificate of tax levy (see Section 1501.510(i))
- fall fiscal year-to-date unaudited uniform financial reporting system data (see Section 1501.510(h))
- February 15 - spring semester enrollment survey (see Section 1501.406(a))

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- May 30 - occupational follow-up study data for specified curricula (FS) (see Section 1501.406(c))
- July 1 - annual noncredit course enrollment survey
- July 31 - Spring fiscal year-to-date unaudited uniform financial reporting system data (see Section 1501.510(a))
- August 1 - workforce preparation grant report (see Section 1501.509(f))
- advanced technology equipment grant report (see Section 1501.515(d))
- Resource Allocation and Management Plan (RAMP/CC) (see Section 1501.510(ab))
- program review report (see Section 1501.303(d))
- program review listing (see Section 1501.303(d))
- credit hour certification, final report (see Section 2-16 of the Public Community College Act)
- annual student enrollment and completion data (see Section 1501.406(a))
- special initiative grants report (see Section 1501.519(d))
- September 1 - application for recognition for specified colleges (see Section 1501.202(d))
- underrepresented groups report/special populations grant report (see Sections 1501.406(d) and 1501.508(d))
- September 15 - unit cost data (see Section 1501.510(cb))
- confirmation of ICCB grants and district credit hours by the external auditor (see Section 1501.503(b))
- September 30 - summer fiscal year-to-date unaudited uniform financial reporting system data (see Section 1501.510(d))
- October 1 - budget survey (see Section 1501.501(cg))
- fall enrollment survey (see Section 1501.406(b))
- fall enrollment data (see Section 1501.406(a))
- October 15 - external audit (see Section 1501.503(a))

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- special populations grant audit (see Section 1501.503(a))
- workforce preparation grant audit (see Section 1501.503(a))
- advanced technology equipment grant audit (see Section 1501.503(a))
- fiscal year budget (fsee Section 1501.504)
- certificate of chargeback (fsee Section 1501.503(a))†
- unexpended special populations grant funds (see Section 1501.508(f))
- unexpended workforce preparation grant funds (see Section 1501.509(h))
- annual fiscal year audited uniform financial reporting system data (see Section 1501.510(f))
- faculty, staff and salary data (see Section 1501.308(a))
- November 1 audit/unit cost reconciliation statement (see Section 1501.510(gd))
- November--15-----  
faculty---staff--and-salary-data--(see-Section 1501-308(a)†)
- December 1 annual financial statements and notice of publication (see Section 1501.506)
- 30 days after the end of each term - course resource data and credit hour claims (see Section 1501.606(b) and Section 1501.507(a))
- 60 days after the end of the fall term - inventory of facilities (see Section 1501.606(c))

(Source: Amended JUL 1 1998 22 Ill. Reg. 17472, effective

## SUBPART C: PROGRAMS

## Section 1501.308 Reporting Requirements

Each college shall submit the following specified items in a format prescribed by the ICCB and according to the schedules indicated: Annual salary data and basic characteristics, including but not limited to sex, date of birth, ethnic classification, highest degree earned, tenure status, and employment or teaching areas, of the faculty and staff employed by the college as of October 1 shall be submitted on or before October November 15 of each year.

(Source: Amended JUL 1 1998 22 Ill. Reg. 17472, effective

## ILLINOIS COMMUNITY COLLEGE BOARD

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## SUBPART E: FINANCE

## Section 1501.501 Definition of Terms

Advanced Technology Equipment Grant. The advanced technology equipment grant provides State funds to Illinois public community colleges for the procurement of equipment necessary to upgrade curricula impacted by technological changes. (See Section 2-16 of the Act.)

Annual Financial Statement. The "annual financial statement," which is required to be published by a district, consists of two parts:

an annual financial report, which includes a statement of revenues and expenditures along with other basic financial data; and

an annual program report, which provides a narrative description of programs offered, goals of the district, and student and staff data.

Attendance at Mid-Term. A student is "in attendance at mid-term" in a course if the student is currently enrolled in and actively pursuing completion of the course.

Auditor. An auditor is a person who enrolls in a class without intent to obtain academic credit and whose status as an auditor is declared by the student, approved by college officials, and identified on college records prior to the end-of-registration date of the college for that particular term.

Business Assistance Centers and Workforce Preparation Offices. Business assistance centers and workforce preparation offices are entities at community colleges that conduct, coordinate, and assist with workforce preparation activities.

Capital Renewal Grants. Capital renewal grants are state grants allocated proportionally to each community college district based on the latest fall on-campus nonresidential gross square feet of facilities as certified by the ICCB. Such grants are to be utilized for miscellaneous capital improvements such as rehabilitation, remodeling, improvement, and repair; architect/engineer services; supplies, fixed equipment, and materials; and all other expenses required to complete the work.

Deferred Maintenance Grants. Deferred maintenance grants are State grants allocated to each community college district based on total nonresidential gross square feet of facilities completed or under

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construction. Such grants are to be utilized for miscellaneous noncapital deferred maintenance improvements such as minor rehabilitation, remodeling, improvement, and repair; supplies, equipment, and materials; and all other expenses required to complete the work.

Lincoln's Challenge Scholarship Grants." The Lincoln's Challenge Program is administered by the Illinois Department of Military Affairs. Upon successful completion of that program, students qualify for a scholarship to a community college. The Lincoln's Challenge Scholarship Grant is a special appropriation received by the ICCB from the Governor and the General Assembly. These scholarships provide an opportunity for graduates of Lincoln's Challenge to transition easily into higher education by attending one of the 49 public community colleges in the State. The scholarship grants can be used to cover the cost of education that includes tuition, books, fees and required educational supplies.

Residency - Applicability-Verification of Status. As part of verification that its credit hours are eligible to receive ICCB grants, each community college district shall adopt a process for verifying the residency status of its students and shall file a description of this process with the ICCB by July 1, 1990. The process shall include the methods for verifying residency as defined in the general provisions, special State state provisions, and district provisions of this Section subsection. Each district shall file descriptions of any revisions to its process with the ICCB prior to their implementation.

Residency - General Provisions. The following provisions apply both to State state and district residency definitions:

To be classified as a resident of the State of Illinois or of the community college district, each student shall have occupied a dwelling within the State state or district for at least 30 days immediately prior to the date established by the district for classes to begin.

The district shall maintain documentation verifying State state or district residency of students.

Students occupying a dwelling in the State state or district who fail to meet the 30-day residency requirement may not become residents simply by attending classes at a community college for 30 days or more.

Students who move from outside the State state or district and who obtain residence in the State state or district for reasons

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other than attending the community college shall be exempt from the 30-day requirement if they demonstrate through documentation a verifiable interest in establishing permanent residency.

Residency - District Provisions. Students shall not be classified as residents of the district where attending even though they may have met the general 30-day residency provision if they are:

federal job corps workers stationed in the district;

inmates of State state or federal correctional/rehabilitation institutions located in the district;

full-time students attending a postsecondary educational institution in the district who have not demonstrated through documentation a verifiable interest in establishing permanent residency; and

students attending under the provisions of a chargeback or contractual agreement with another community college.

Residency - Special State Provisions. Students shall be classified as residents of the State state without meeting the general 30-day residency provision if they are:

federal job corps workers stationed in Illinois;

members of the armed services stationed in Illinois;

inmates of State state correctional/rehabilitation institutions located in Illinois; or

employed full time in Illinois.

Special Initiatives Grants. Special initiatives grants provide funds for conducting special initiatives activities.

Special Initiatives Activities. Special initiatives activities are based upon criteria as specified in the special initiatives contract which is executed each year with each district. As special initiatives change, the scope of activities specified in the contracts will also change.

Special Populations Grant. A "special populations grant" provides funding for:

Special or extra services to assist special populations students to initiate, continue, or resume their education, including



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tutoring, educational and career counseling, referrals to external agencies, and testing/evaluation to determine courses or services needed by a special populations student.

Courses (not funded through credit hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial, adult basic education, adult secondary education, and English as a Second Language courses.

**Special Populations Student.** A "special populations student" is a student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college environment designed for the nonspecial populations student. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are special populations as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

**Technology Enhancement Grants.** Technology enhancement grants provide State state funds for technology infrastructure improvements. Grants shall be distributed to community colleges based upon midterm semester or equivalent credit hours.

**Workforce Preparation Activities.** Workforce preparation activities create or retain jobs and increase employment opportunities.

**Workforce Preparation Grants.** Workforce preparation grants provide funds for conducting workforce preparation activities.

(Source: Amended JUL 10 1998 22 Ill. Reg. 17472, effective

## Section 1501.510 Reporting Requirements

Each college shall submit the items listed below in a format prescribed by the ICCB and according to the schedules indicated.

- a) Fiscal year-to-date unaudited uniform financial reporting system data by July 31 for the period July 1 - June 30 of the previous fiscal year.
- ba) Resource allocation and management plan (RAMP) data by August 1 of each year.
- cb) Unit cost data for the previous fiscal year by September 15 following the end of that fiscal year.
- d) Fiscal year-to-date unaudited uniform financial reporting system data by September 30 for the period July 1 - August 31.
- ec) A survey of local budget and tax extensions and collections by October

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1 of each year.

- f) Annual fiscal year audited uniform financial reporting system data by October 15 following the end of the previous fiscal year.
- gd) An Audit/Unit Cost Reconciliation Statement by November 1 of each year.
- h) Fiscal year-to-date unaudited uniform financial reporting system data by January 31 for the period July 1 - December 31.
- ie) Certificate of Tax Levy by January 31 of each year.

(Source: Amended at 22 Ill. Reg. 17472, effective JUL 10 1998)

## Section 1501.522 Deferred Maintenance Grants

a) Deferred maintenance grants shall be allocated to each qualifying Illinois public community college district in accordance with Section 2-16.02 of the Act.

b) Expenditures of funds from this grant are limited to deferred maintenance grant activities as defined in Section 1501.501 of this Part. No more than 30 percent of each district's grant allocation shall be used for custodial/maintenance staff salaries and benefits.

c) Funds received from this grant shall be accounted for in a separate set of self-balancing accounts in the Operations and Maintenance Fund (Restricted) (see Section 1501.511(a)(7)).

d) Deferred maintenance grant funds shall be expended or obligated by June 30 of the year for which they were awarded. Goods and services for which funds have been obligated shall be received and paid for by August 31 following the end of the fiscal year for which the funds were awarded. Unexpended funds totaling \$100 or more shall be returned to the ICCB by October 15 following the end of the fiscal year. Unexpended funds totaling less than \$100 need not be returned to the ICCB provided the funds are spent in the next fiscal year and for the restricted grant purpose.

e) Deferred maintenance grant funds not used in accordance with this Section regardless of the amount shall be returned to the ICCB within 6 months after receipt of the external audit report by the ICCB or other identification of improper expenditures subsequently verified by the ICCB.

(Source: Added at 22 Ill. Reg. 17472, effective JUL 10 1998)

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- 1) Heading of the Part: Hazardous Waste Injection Restrictions
- 2) Code citation: 35 Ill. Adm. Code 738
- 3) Section Numbers: Adopted Action:  
738.101 Amended  
738.118 Amended
- 4) Statutory authority: 415 ILCS 5/13(c), 22.4 and 27.
- 5) Effective date of amendments: September 28, 1998
- 6) Does this rulemaking contain an automatic repeal date?: No
- 7) Do these amendments contain incorporations by reference? No. Although Part 738 includes incorporations by reference, none of the existing text that is involved in this proceeding includes an incorporation by reference.
- 8) Statement of availability: The adopted amendments and the Board's opinion and order of August 20, 1998, including all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.
- 9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 9662
- 10) Has JCAR issued a Statement of Objections to these rules? No. Sections 13(c) and 22.4(a) of the Environmental Protection Act [415 ILCS 5/13(c) and 22.4(a)] provide that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.
- 11) Differences between proposal and final version:  
The Board did not revise the text of Part 738 since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5.
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Sections 13(c) and 22.4(a) of the Environmental Protection Act provide that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. JCAR did not request revision of the text of the amendments.
- 13) Will these amendments replace emergency amendments currently in effect? No

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- 14) Are there any other amendments pending on this Part? No
- 15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.  
  
This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:  
  
R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.  
  
R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.  
  
R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.  
  
The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728 and 738. The following table briefly summarizes the federal actions in these periods:  
  
61 Fed. Reg. 34251  
(July 1, 1996)  
  
USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.  
  
61 Fed. Reg. 36419  
(July 10, 1996)  
  
USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.  
  
61 Fed. Reg. 40520  
(August 5, 1996)  
  
USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

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61 Fed. Reg. 43927 (August 26, 1996)  
USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

61 Fed. Reg. 56631 (November 4, 1996)  
USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 CFR 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

61 Fed. Reg. 59931 (November 25, 1996)  
USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

62 Fed. Reg. 1678 (January 13, 1997)  
USEPA adopted a change in name and ownership of Envirote Corp.

62 Fed. Reg. 1834 (January 14, 1997)  
USEPA amended the addresses for its Region V headquarters.

62 Fed. Reg. 1991 (January 14, 1997)  
USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

62 Fed. Reg. 5621 (February 12, 1997)  
USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

62 Fed. Reg. 7502 (February 19, 1997)  
USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.

62 Fed. Reg. 25998 (May 12, 1997)  
USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.

62 Fed. Reg. 32452 (June 13, 1997)  
USEPA amended the hazardous waste testing and monitoring regulations.

62 Fed. Reg. 32974 (June 17, 1997)  
USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996,

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January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal CFR correction of November 4, 1996, and the January 13, 1997, federal change in the Envirote hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

61 Fed. Reg. 34251 CESQG waste rules.

(July 1, 1996)

Amendments to USEPA addresses.

62 Fed. Reg. 1834

(January 14, 1997)

Military munitions rules.

62 Fed. Reg. 5621

(February 12, 1997)

Phase IV land disposal restriction amendments.

62 Fed. Reg. 25998

(May 12, 1997)

Amended hazardous waste testing and monitoring rules.

62 Fed. Reg. 32452

(June 13, 1997)

Specifically, the amendments to Part 738 implement the May 12, 1997, Phase IV land disposal restrictions.

Sections 13(c) and 22.4 of the Environmental Protection Act provide that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these Adopted Amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998, from



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Victoria Agyeman, at 312-814-3620. Please refer to consolidated docket number R97-21/R98- 3/R98-5.

The full text of the Adopted Amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER d: UNDERGROUND INJECTION CONTROL AND  
UNDERGROUND STORAGE TANK PROGRAMS

## PART 738

## HAZARDOUS WASTE INJECTION RESTRICTIONS

## SUBPART A: GENERAL

Section	Purpose, Scope, and Applicability
738.101	Definitions
738.102	Dilution Prohibited as a Substitute for Treatment
738.103	Case-by-Case Extensions of an Effective Date
738.104	Waste Analysis
738.105	

## SUBPART B: PROHIBITIONS ON INJECTION

Section	Waste Specific Prohibitions - Solvent Wastes
738.110	Waste Specific Prohibitions - Solvent Wastes
738.111	Waste Specific Prohibitions - Dioxin-Containing Wastes
738.112	Waste Specific Prohibitions - California List Wastes
738.114	Waste Specific Prohibitions - First Third Wastes
738.115	Waste Specific Prohibitions - Second Third Wastes
738.116	Waste Specific Prohibitions - Third Third Wastes
738.117	Waste-Specific Prohibitions - Newly-Listed Wastes
738.118	Waste-Specific Prohibitions - Newly-Listed and Identified Wastes

## SUBPART C: PETITION STANDARDS AND PROCEDURES

Section	Petitions to Allow Injection of a Prohibited Waste
738.120	Petitions to Allow Injection of a Prohibited Waste
738.121	Required Information to Support Petitions
738.122	Submission, Review and Approval or Denial of Petitions
738.123	Review of Adjusted Standards
738.124	Termination of Adjusted Standards

AUTHORITY: Implementing Sections 13 and 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/13, 22.4 and 27].

SOURCE: Adopted in R89-2 at 14 Ill. Reg. 3059, effective February 20, 1990; amended in R89-11 at 14 Ill. Reg. 11948, effective July 9, 1990; amended in R90-14 at 15 Ill. Reg. 11425, effective July 24, 1991; amended in R92-13 at 17 Ill. Reg. 6190, effective April 5, 1993; amended in R93-6 at 17 Ill. Reg. 15641, effective September 14, 1993; amended in R95-4 at 19 Ill. Reg. 9501, effective June 27, 1995; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 238,

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effective December 16, 1997; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17486 effective SEP 28 1998.

SUBPART A: GENERAL

## Section 738.101 Purpose, Scope, and Applicability

- a) This Part identifies hazardous wastes that are restricted from disposal into Class I wells and defines those circumstances under which a waste, otherwise prohibited from injection, may be injected.
- b) The requirements of this Part apply to owners or operators of the following Class I wells:
- 1) Hazardous waste injection wells that are used to inject hazardous waste; and
  - 2) Injection wells that are used to inject wastes which once exhibited a prohibited characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C, at the point of generation, and which no longer exhibit the characteristic at the point of injection.
- c) Wastes otherwise prohibited from injection may continue to be injected:
- 1) If an extension from the effective date of a prohibition has been granted pursuant to Section 738.104; or
  - 2) If an adjusted standard has been granted in response to a petition filed under Section 738.120; or
  - 3) If the waste is generated by a conditionally exempt small quantity generator, as defined in 35 Ill. Adm. Code 721.105.
- d) A waste that is hazardous only because it exhibits a characteristic of hazardous waste and which is otherwise prohibited from injection under this Part or 35 Ill. Adm. Code 728 is not prohibited from injection if the following is true of the waste:
- 1) It is disposed into a non-hazardous or hazardous waste injection well, as defined under 35 Ill. Adm. Code 730.106(a); and
  - 2) It does not exhibit any prohibited characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C at the point of injection.

BOARD NOTE: Derived from 40 CFR 148.1 (1996).

(Source: Amended SEP 28 1998 ) 22 Ill. Reg. 17486, effective

## SUBPART B: PROHIBITIONS ON INJECTION

## Section 738.118 Waste-Specific Prohibitions - Newly-Listed and Identified Wastes

- a) Effective August 11, 1997, the wastes specified in 35 Ill. Adm. Code 721 as USEPA hazardous waste numbers F032, F034, F035 are prohibited

from underground injection.

- b) Effective May 12, 1999, the wastes specified in 35 Ill. Adm. Code 721 as USEPA hazardous waste numbers F032, F034, F035 that are mixed with radioactive wastes are prohibited from underground injection.
- c) The wastes specified in 35 Ill. Adm. Code 721.132 as having the following USEPA hazardous waste numbers are prohibited from underground injection:

K156  
K157  
K158  
K159  
K160  
K161  
K162  
P127  
P128  
P185  
P188  
P189  
P190  
P191  
P192  
P194  
P196  
P197  
P198  
P199  
P201  
P202  
P203  
P204  
P205  
U271  
U277  
U278  
U279  
U280  
U364  
U365  
U366  
U367  
U372  
U373  
U375  
U376  
U377  
U378  
U379  
U381

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U382  
U383  
U384  
U385  
U386  
U387  
U389  
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U391  
U392  
U393  
U394  
U395  
U396  
U400  
U401  
U402  
U403  
U404  
U407  
U409  
U410  
U411

db) The wastes specified in 35 Ill. Adm. Code 721.132 as USEPA hazardous waste number K088 is prohibited from underground injection.  
ec) ~~The On-April-07-1998-the~~ wastes specified in 35 Ill. Adm. Code 721 as having the following USEPA hazardous waste numbers and Mixed TC/Radioactive wastes are prohibited from underground injection:

D018  
D019  
D020  
D021  
D022  
D023  
D024  
D025  
D026  
D027  
D028  
D029  
D030  
D031  
D032  
D033  
D034  
D035  
D036  
D037

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D038  
D039  
D040  
D041  
D042  
D043

fd) ~~The On-April-07-1998-the~~ wastes specified in 35 Ill. Adm. Code 721 as having the following USEPA hazardous waste numbers are prohibited from underground injection:

D001  
D002  
D003

(Source: Amended at <sup>22</sup> Ill. Reg. 17486, effective SEP 28 1998)



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- 1) Heading of the Part: Hazardous Waste Management System: General
- 2) Code Citation: 35 Ill. Adm. Code 720
- 3) Section Numbers: Adopted Action:  
720.110 Amended  
720.111 Amended
- 4) Statutory authority: 415 ILCS 5/22.4 and 27
- 5) Effective date of amendments: September 28, 1998
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? Yes. Section 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738, and 739. The text of Part 720 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations.
- 8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection and copying.
- 9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 9672
- 10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version: The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised	Revision(s)
720.110 "boiler"	Reorganized the subsections of the definition for clarity by adding subheading "physical characteristics," changing the indent level of

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- the first three subsections, and adding the subheading "boiler by designation" to the fourth subsection
- 720.110 "closed portion" Removed capitalization from the word "portion"
- 720.110 "industrial furnace" Changed "3%" to "three percent"; changed "20%" to "20 percent"
- 720.111(a) NTIS "Guideline on Air Quality Models" Capitalized "Appendix"
- 720.111(a) DOD "DOD Ammunition and Explosive Safety Standards" Added a period at the end of the entry
- 720.111(c) "Section 1412 of the Department of Defense Authorization Act of 1986" Added a period at the end of the entry
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.
- 13) Will these amendments replace emergency amendments currently in effect?  
No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules

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to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

## R97-21

Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.

## R98-3

Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.

## R98-5

Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.

The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728, and 738. The following table briefly summarizes the federal actions in these periods:

61 Fed. Reg. 34251  
(July 1, 1996)

USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.

61 Fed. Reg. 36419  
(July 10, 1996)

USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.

61 Fed. Reg. 40520  
(August 5, 1996)

USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

61 Fed. Reg. 43927  
(August 26, 1996)

USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

61 Fed. Reg. 56631  
(November 4, 1996)

USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 C.F.R. 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

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61 Fed. Reg. 59931  
(November 25, 1996)

USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

62 Fed. Reg. 1678  
(January 13, 1997)

USEPA adopted a change in name and ownership of Enviroite Corp.

62 Fed. Reg. 1834  
(January 14, 1997)

USEPA amended the addresses for its Region V headquarters.

62 Fed. Reg. 1991  
(January 14, 1997)

USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

62 Fed. Reg. 6621  
(February 12, 1997)

USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

62 Fed. Reg. 7502  
(February 19, 1997)

USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.

62 Fed. Reg. 25998  
(May 12, 1997)

USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.

62 Fed. Reg. 32452  
(June 13, 1997)

USEPA amended the hazardous waste testing and monitoring regulations.

62 Fed. Reg. 32974  
(June 17, 1997)

USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal C.F.R. correction of November 4, 1996, and the January 13, 1997, federal change in the Enviroite hazardous waste delisting.

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Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

61 Fed. Reg. 34251  
(July 1, 1996)

CESQC waste rules.

62 Fed. Reg. 1834  
(January 14, 1997)

Amendments to USEPA addresses.

62 Fed. Reg. 6621  
(February 12, 1997)

Military munitions rules.

62 Fed. Reg. 25998  
(May 12, 1997)

Phase IV land disposal restriction amendments.

62 Fed. Reg. 32452  
(June 13, 1997)

Amended hazardous waste testing and monitoring rules.

Specifically, the amendments to Part 720 implement segments of the February 12, 1997, military munitions rules and the June 13, 1997, hazardous waste testing and monitoring amendments.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agveman at 312-814-3620. Please refer to consolidated docket number R97-21/R98-3/R98-5.

The full text of the adopted amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 720

HAZARDOUS WASTE MANAGEMENT SYSTEM: GENERAL

## SUBPART A: GENERAL PROVISIONS

Section	Purpose, Scope, and Applicability
720.101	Availability of Information; Confidentiality of Information
720.102	Use of Number and Gender
720.103	

## SUBPART B: DEFINITIONS

Section	Definitions
720.110	References
720.111	

## SUBPART C: RULEMAKING PETITIONS AND OTHER PROCEDURES

Section	Rulemaking
720.120	Alternative Equivalent Testing Methods
720.121	Waste Delisting
720.122	Petitions for Regulation as Universal Waste
720.123	Procedures for Solid Waste Determinations
720.130	Solid Waste Determinations
720.131	Boiler Determinations
720.132	Procedures for Determinations
720.133	Additional regulation of certain hazardous waste Recycling Activities on a case-by-case Basis
720.140	Procedures for case-by-case regulation of hazardous waste Recycling Activities
720.141	

## APPENDIX A Overview of 40 CFR, Subtitle C Regulations

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-19 at 7 Ill. Reg. 14015, effective Oct. 12, 1983; amended in R84-9, 53 PCB 131 at 9 Ill. Reg. 11819, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 968, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 13998, effective August 12, 1986; amended in



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R86-19 at 10 Ill. Reg. 20630, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6017, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13435, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19280, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2450, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 12999, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 362, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18278, effective November 13, 1989; amended in R89-2 at 14 Ill. Reg. 3075, effective February 20, 1990; amended in R89-9 at 14 Ill. Reg. 6225, effective April 16, 1990; amended in R90-10 at 14 Ill. Reg. 16450, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7934, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9323, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14446, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9489, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17636, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5625, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20545, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6720, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12160, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17480, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9508, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10929, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 256, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7590, effective April 15, 1998; amended in R97-21/R98-38/R98-48 17496 effective 22 Ill. Reg. 17496

## SUBPART B: DEFINITIONS

## Section 720.110 Definitions

When used in 35 Ill. Adm. Code 720 through 726 and 728 only, the following terms have the meanings given below:

"Aboveground tank" means a device meeting the definition of "tank" that is situated in such a way that the entire surface area of the tank is completely above the plane of the adjacent surrounding surface and the entire surface area of the tank (including the tank bottom) is able to be visually inspected.

"Act" or "RCRA" means the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.)

"Active life" of a facility means the period from the initial receipt of hazardous waste at the facility until the Agency receives certification of final closure.

"Active portion" means that portion of a facility where treatment, storage or disposal operations are being or have been conducted after

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May 19, 1980, and which is not a closed portion. (See also "closed portion" and "inactive portion".)

"Administrator" means the Administrator of the U.S. Environmental Protection Agency or the Administrator's designee.

"Agency" means the Illinois Environmental Protection Agency.

"Ancillary equipment" means any device including, but not limited to, such devices as piping, fittings, flanges, valves and pumps, that is used to distribute, meter or control the flow of hazardous waste from its point of generation to storage or treatment tank(s), between hazardous waste storage and treatment tanks to a point of disposal onsite, or to a point of shipment for disposal off-site.

"Aquifer" means a geologic formation, group of formations or part of a formation capable of yielding a significant amount of groundwater to wells or springs.

"Authorized representative" means the person responsible for the overall operation of a facility or an operational unit (i.e., part of a facility), e.g., the plant manager, superintendent or person of equivalent responsibility.

"Battery" means a device consisting of one or more electrically connected electrochemical cells that is designed to receive, store, and deliver electric energy. An electrochemical cell is a system consisting of an anode, cathode, and an electrolyte, plus such connections (electrical and mechanical) as may be needed to allow the cell to deliver or receive electrical energy. The term battery also includes an intact, unbroken battery from which the electrolyte has been removed.

"Board" means the Illinois Pollution Control Board.

"Boiler" means an enclosed device using controlled flame combustion and having the following characteristics:

Physical characteristics.

The unit must have physical provisions for recovering and exporting thermal energy in the form of steam, heated fluids or heated gases; and the unit's combustion chamber and primary energy recovery section(s) Section(s) must be of integral design. To be of integral design, the combustion chamber and the primary energy recovery section(s) Section(s) (such as waterwalls and superheaters) must be physically formed into one manufactured or assembled unit.

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A unit in which the combustion chamber and the primary energy recovery section(s) ~~Section(s)~~ are joined only by ducts or connections carrying flue gas is not integrally designed; however, secondary energy recovery equipment (such as economizers or air preheaters) need not be physically formed into the same unit as the combustion chamber and the primary energy recovery section. The following units are not precluded from being boilers solely because they are not of integral design: process heaters (units that transfer energy directly to a process stream), and fluidized bed combustion units; and

While in operation, the unit must maintain a thermal energy recovery efficiency of at least 60 percent, calculated in terms of the recovered energy compared with the thermal value of the fuel; and

The unit must export and utilize at least 75 percent of the recovered energy, calculated on an annual basis. In this calculation, no credit shall be given for recovered heat used internally in the same unit. (Examples of internal use are the preheating of fuel or combustion air, and the driving of induced or forced draft fans or feedwater pumps); or

**Boiler by designation.**

The unit is one which the Board has determined, on a case-by-case basis, to be a boiler, after considering the standards in Section 720.132.

"Carbon regeneration unit" means any enclosed thermal treatment device used to regenerate spent activated carbon.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"Closed portion ~~Portion~~" means that portion of a facility which an owner or operator has closed in accordance with the approved facility closure plan and all applicable closure requirements. (See also "active portion" and "inactive portion".)

"Component" means either the tank or ancillary equipment of a tank system.

"Confined aquifer" means an aquifer bounded above and below by impermeable beds or by beds of distinctly lower permeability than that of the aquifer itself; an aquifer containing confined groundwater.

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"Container" means any portable device in which a material is stored, transported, treated, disposed of or otherwise handled.

"Containment Building Building" means a hazardous waste management unit that is used to store or treat hazardous waste under the provisions of 35 Ill. Adm. Code 724.Subpart DD and 35 Ill. Adm. Code 725.Subpart DD.

"Contingency plan" means a document setting out an organized, planned and coordinated course of action to be followed in case of a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment.

"Corrective action management unit" or "CAMU" means an area within a facility that is designated by the Agency under 35 Ill. Adm. Code 724.Subpart S for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA section 3008(h). A CAMU shall only be used for the management of remediation wastes pursuant to implementing such corrective action requirements at the facility.

BOARD NOTE: USEPA must also designate a CAMU until it grants this authority to the Agency. See the note following 35 Ill. Adm. Code 724.652.

"Corrosion expert" means a person who, by reason of knowledge of the physical sciences and the principles of engineering and mathematics, acquired by a professional education and related practical experience, is qualified to engage in the practice of corrosion control on buried or submerged metal piping systems and metal tanks. Such a person must be certified as being qualified by the National Association of Corrosion Engineers (NACE) or be a registered professional engineer who has certification or licensing that includes education and experience in corrosion control on buried or submerged metal piping systems and metal tanks.

"Designated facility" means a hazardous waste treatment, storage or disposal facility,

Which:

Has received a RCRA permit (or interim status) pursuant to 35 Ill. Adm. Code 702, 703 and 705;

Has received a RCRA permit from USEPA pursuant to 40 CFR 124 and 270 (1992);

Has received a RCRA permit from a state authorized by USEPA pursuant to 40 CFR 271 (1992); or

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Is regulated under 35 Ill. Adm. Code 721.106(c)(2) or 266.Subpart F; and

Which has been designated on the manifest by the generator pursuant to 35 Ill. Adm. Code 722.120.

If a waste is destined to a facility in a state, other than Illinois, which has been authorized by USEPA pursuant to 40 CFR 271, but which has not yet obtained authorization to regulate that waste as hazardous, then the designated facility must be a facility allowed by the receiving state to accept such waste.

"Destination facility" means a facility that treats, disposes of, or recycles a particular category of universal waste, except those management activities described in 35 Ill. Adm. Code 733.113(a) and (c) and 733.133(a) and (c). A facility at which a particular category of universal waste is only accumulated is not a destination facility for the purposes of managing that category of universal waste.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids or other materials.

"Director" means the Director of the Illinois Environmental Protection Agency.

"Discharge" or "hazardous waste discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of hazardous waste into or on any land or water.

"Disposal" means the discharge, deposit, injection, dumping, spilling, leaking or placing of any solid waste or hazardous waste into or on any land or water so that such solid waste or hazardous waste or any constituent thereof may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

"Disposal facility" means a facility or part of a facility at which hazardous waste is intentionally placed into or on any land or water and at which waste will remain after closure. The term disposal facility does not include a corrective action management unit (CAMU) into which remediation wastes are placed.

"Drip pad" means an engineered structure consisting of a curbed, free-draining base, constructed of non-earthen materials and designed to convey preservative kick-back or drippage from treated wood, precipitation and surface water run-on to an associated collection system at wood preserving plants.

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"Electric lamp" means the bulb or tube portion of a lighting device specifically designed to produce radiant energy, most often in the ultraviolet, visible, and infrared regions of the electromagnetic spectrum.

BOARD NOTE: The definition of "electric lamp" was added pursuant to Section 22.23a of the Act [415 ILCS 5/22.23a] (see P.A. 90-502, effective August 19, 1997).

"Elementary neutralization unit" means a device which:

Is used for neutralizing wastes which are hazardous only because they exhibit the corrosivity characteristic defined in 35 Ill. Adm. Code 721.122 or are listed in 35 Ill. Adm. Code 721.Subpart D only for this reason; and

Meets the definition of tank, tank system, container, transport vehicle or vessel in this Section.

"EPA hazardous waste number" or "USEPA hazardous waste number" means the number assigned by USEPA EPA to each hazardous waste listed in 35 Ill. Adm. Code 721.Subpart D and to each characteristic identified in 35 Ill. Adm. Code 721.Subpart C.

"EPA identification number" or "USEPA identification number" means the number assigned by USEPA pursuant to 35 Ill. Adm. Code 722 through 725 to each generator, transporter and treatment, storage or disposal facility.

"EPA region" or "USEPA region" means the states and territories found in any one of the following ten regions:

Region I: Maine, Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island

Region II: New York, New Jersey, Commonwealth of Puerto Rico and the U.S. Virgin Islands

Region III: Pennsylvania, Delaware, Maryland, West Virginia, Virginia and the District of Columbia

Region IV: Kentucky, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina and Florida

Region V: Minnesota, Wisconsin, Illinois, Michigan, Indiana and Ohio

Region VI: New Mexico, Oklahoma, Arkansas, Louisiana and Texas



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Region VII: Nebraska, Kansas, Missouri and Iowa

Region VIII: Montana, Wyoming, North Dakota, South Dakota, Utah and Colorado

Region IX: California, Nevada, Arizona, Hawaii, Guam, American Samoa and Commonwealth of the Northern Mariana Islands

Region X: Washington, Oregon, Idaho and Alaska

"Equivalent method" means any testing or analytical method approved by the Board pursuant to Section 720.120.

"Existing hazardous waste management (HWM) facility" or "existing facility" means a facility which was in operation or for which construction commenced on or before November 19, 1980. A facility had commenced construction if the owner or operator had obtained the federal, state, and local approvals or permits necessary to begin physical construction and either:

A continuous on-site, physical construction program had begun or

The owner or operator had entered into contractual obligations--which could not be canceled or modified without substantial loss--for physical construction of the facility to be completed within a reasonable time.

"Existing portion" means that land surface area of an existing waste management unit, included in the original Part A permit application, on which wastes have been placed prior to the issuance of a permit.

"Existing tank system" or "existing component" means a tank system or component that is used for the storage or treatment of hazardous waste and that is in operation, or for which installation has commenced on or prior to July 14, 1986. Installation will be considered to have commenced if the owner or operator has obtained all federal, state, and local approvals or permits necessary to begin physical construction of the site or installation of the tank system and if either

A continuous on-site physical construction or installation program has begun; or

The owner or operator has entered into contractual obligations--which cannot be canceled or modified without substantial loss--for physical construction of the site or installation of the tank system to be completed within a reasonable time.

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"Explosives or munitions emergency" means a situation involving the suspected or detected presence of unexploded ordnance (UXO), damaged or deteriorated explosives or munitions, an improvised explosive device (IED), other potentially explosive material or device, or other potentially harmful military chemical munitions or device, that creates an actual or potential imminent threat to human health, including safety, or the environment, including property, as determined by an explosives or munitions emergency response specialist. Such situations may require immediate and expeditious action by an explosives or munitions emergency response specialist to control, mitigate, or eliminate the threat.

"Explosives or munitions emergency response" means all immediate response activities by an explosives and munitions emergency response specialist to control, mitigate, or eliminate the actual or potential threat encountered during an explosives or munitions emergency. An explosives or munitions emergency response may include in-place render-safe procedures, treatment, or destruction of the explosives or munitions and/or transporting those items to another location to be rendered safe, treated, or destroyed. Any reasonable delay in the completion of an explosives or munitions emergency response caused by a necessary, unforeseen, or uncontrollable circumstance will not terminate the explosives or munitions emergency. Explosives and munitions emergency responses can occur on either public or private lands and are not limited to responses at RCRA facilities.

"Explosives or munitions emergency response specialist" means an individual trained in chemical or conventional munitions or explosives handling, transportation, render-safe procedures, or destruction techniques. Explosives or munitions emergency response specialists include U.S. Department of Defense (U.S. DOD) emergency explosive ordnance disposal (EOD), technical escort unit (TEU), and U.S. DOD-certified civilian or contractor personnel and other federal, state, or local government or civilian personnel who are similarly trained in explosives or munitions emergency responses.

"Facility" means:

All contiguous land and structures, other appurtenances, and improvements on the land used for treating, storing, or disposing of hazardous waste. A facility may consist of several treatment, storage, or disposal operational units (e.g., one or more landfills, surface impoundments, or combinations of them).

For the purpose of implementing corrective action under 35 Ill. Adm. Code 724.201, all contiguous property under the control of the owner or operator seeking a permit under Subtitle C of RCRA. This definition also applies to facilities implementing

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corrective action under RCRA Section 3008(h).

"Federal agency" means any department, agency or other instrumentality of the federal government, any independent agency or establishment of the federal government including any government corporation and the Government Printing Office.

"Federal, state, and local approvals or permits necessary to begin physical construction" means permits and approvals required under federal, state, or local hazardous waste control statutes, regulations or ordinances.

"Final closure" means the closure of all hazardous waste management units at the facility in accordance with all applicable closure requirements so that hazardous waste management activities under 35 Ill. Adm. Code 724 and 725 are no longer conducted at the facility unless subject to the provisions of 35 Ill. Adm. Code 722.134.

"Food-chain crops" means tobacco, crops grown for human consumption and crops grown for feed for animals whose products are consumed by humans.

"Freeboard" means the vertical distance between the top of a tank or surface impoundment dike and the surface of the waste contained therein.

"Free liquids" means liquids which readily separate from the solid portion of a waste under ambient temperature and pressure.

"Generator" means any person, by site, whose act or process produce hazardous waste identified or listed in 35 Ill. Adm. Code 721 or whose act first causes a hazardous waste to become subject to regulation.

"Groundwater" means water below the land surface in a zone of saturation.

"Hazardous waste" means a hazardous waste as defined in 35 Ill. Adm. Code 721.103.

"Hazardous waste constituent" means a constituent which caused the hazardous waste to be listed in 35 Ill. Adm. Code 721.Subpart D, or a constituent listed in 35 Ill. Adm. Code 721.124.

"Hazardous waste management unit" is a contiguous area of land on or in which hazardous waste is placed, or the largest area in which there is significant likelihood of mixing hazardous waste constituents in the same area. Examples of hazardous waste management units include a surface impoundment, a waste pile, a land treatment area, a landfill

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cell, an incinerator, a tank and its associated piping and underlying containment system and a container storage area. A container alone does not constitute a unit; the unit includes containers and the land or pad upon which they are placed.

"Inactive portion" means that portion of a facility which is not operated after November 19, 1980. (See also "active portion" and "closed portion".)

"Incinerator" means any enclosed device that:

Uses controlled flame combustion and neither:

Meets the criteria for classification as a boiler, sludge dryer or carbon regeneration unit, nor

Is listed as an industrial furnace; or

Meets the definition of infrared incinerator or plasma arc incinerator.

"Incompatible waste" means a hazardous waste which is unsuitable for:

Placement in a particular device or facility because it may cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

Comingling with another waste or material under uncontrolled conditions because the comingling might produce heat or pressure, fire or explosion, violent reaction, toxic dusts, mists, fumes or gases or flammable fumes or gases.

(See 35 Ill. Adm. Code 725.Appendix E for examples.)

"Industrial furnace" means any of the following enclosed devices that are integral components of manufacturing processes and that use thermal treatment to accomplish recovery of materials or energy:

Cement kilns

Lime kilns

Aggregate kilns

Phosphate kilns

Coke ovens

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## Blast furnaces

Smelting, melting and refining furnaces (including pyrometallurgical devices such as cupolas, reverberator furnaces, sintering machines, roasters and foundry furnaces)

Titanium dioxide chloride process oxidation reactors

Methane reforming furnaces

Pulping liquor recovery furnaces

Combustion devices used in the recovery of sulfur values from spent sulfuric acid

Halogen acid furnaces (HAFs) for the production of acid from halogenated hazardous waste generated by chemical production facilities where the furnace is located on the site of a chemical production facility, the acid product has a halogen acid content of at least 3 three percent %, the acid product is used in a manufacturing process and, except for hazardous waste burned as fuel, hazardous waste fed to the furnace has a minimum halogen content of 20 percent %, as generated

Any other such device as the Agency determines to be an "Industrial Furnace" on the basis of one or more of the following factors:

The design and use of the device primarily to accomplish recovery of material products;

The use of the device to burn or reduce raw materials to make a material product;

The use of the device to burn or reduce secondary materials as effective substitutes for raw materials, in processes using raw materials as principal feedstocks;

The use of the device to burn or reduce secondary materials as ingredients in an industrial process to make a material product;

The use of the device in common industrial practice to produce a material product; and

Other relevant factors.

"Individual generation site" means the contiguous site at or on which

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one or more hazardous wastes are generated. An individual generation site, such as a large manufacturing plant, may have one or more sources of hazardous waste but is considered a single or individual generation site if the site or property is contiguous.

"Infrared incinerator" means any enclosed device which uses electric powered resistance heaters as a source of radiant heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Inground tank" means a device meeting the definition of "tank" whereby a portion of the tank wall is situated to any degree within the ground, thereby preventing visual inspection of that external surface area of the tank that is in the ground.

"In operation" refers to a facility which is treating, storing or disposing of hazardous waste.

"Injection well" means a well into which fluids are being injected. (See also "underground injection".)

"Inner liner" means a continuous layer of material placed inside a tank or container which protects the construction materials of the tank or container from the contained waste or reagents used to treat the waste.

"Installation inspector" means a person who, by reason of knowledge of the physical sciences and the principles of engineering, acquired by a professional education and related practical experience, is qualified to supervise the installation of tank systems.

"International shipment" means the transportation of hazardous waste into or out of the jurisdiction of the United States.

"Land treatment facility" means a facility or part of a facility at which hazardous waste is applied onto or incorporated into the soil surface; such facilities are disposal facilities if the waste will remain after closure.

"Landfill" means a disposal facility or part of a facility where hazardous waste is placed in or on land and which is not a pile, a land treatment facility, a surface impoundment, an underground injection well, a salt dome formation, a salt bed formation, an underground mine, a cave, or corrective action management unit (CAMU).

"Landfill cell" means a discrete volume of a hazardous waste landfill which uses a liner to provide isolation of wastes from adjacent cells or wastes. Examples of landfill cells are trenches and pits.



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"LDS" means leak detection system.

"Leachate" means any liquid, including any suspended components in the liquid, that has percolated through or drained from hazardous waste.

"Liner" means a continuous layer of natural or manmade materials beneath or on the sides of a surface impoundment, landfill or landfill cell, which restricts the downward or lateral escape of hazardous waste, hazardous waste constituents or leachate.

"Leak-detection system" means a system capable of detecting the failure of either the primary or secondary containment structure or the presence of a release of hazardous waste or accumulated liquid in the secondary containment structure. Such a system must employ operational controls (e.g., daily visual inspections for releases into the secondary containment system of aboveground tanks) or consist of an interstitial monitoring device designed to detect continuously and automatically the failure of the primary or secondary containment structure or the presence of a release of hazardous waste into the secondary containment structure.

"Management" or "hazardous waste management" means the systematic control of the collection, source separation, storage, transportation, processing, treatment, recovery and disposal of hazardous waste.

"Manifest" means the shipping document originated and signed by the generator which contains the information required by 35 Ill. Adm. Code 722.Subpart B.

"Manifest document number" means the USEPA twelve digit identification number assigned to the generator plus a unique five digit document number assigned to the manifest by the generator for recording and reporting purposes.

"Mercury-containing lamp" means an electric lamp into which mercury is purposely introduced by the manufacturer for the operation of the lamp. Mercury-containing lamps include, but are not limited to, fluorescent lamps and high-intensity discharge lamps.  
BOARD NOTE: The definition of "mercury-containing lamp" was added pursuant to Section 22.23a of the Act [415 ILCS 5/22.23a] (see P.A. 90-502, effective August 19, 1997).

"Military munitions" means all ammunition products and components produced or used by or for the U.S. Department of Defense or the U.S. Armed Services for national defense and security, including military munitions under the control of the U.S. Department of Defense, the U.S. Coast Guard, the U.S. Department of Energy (U.S. DOE), and National Guard personnel. The term military munitions includes:

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confined gaseous, liquid, and solid propellants, explosives, pyrotechnics, chemical and riot control agents, smokes, and incendiaries used by U.S. DOD components, including bulk explosive and chemical warfare agents, chemical munitions, rockets, guided and ballistic missiles, bombs, warheads, mortar rounds, artillery ammunition, small arms ammunition, grenades, mines, torpedoes, depth charges, cluster munitions and dispensers, demolition charges, and devices and components of these items and devices. Military munitions do not include wholly inert items, improvised explosive devices, and nuclear weapons, nuclear devices, and nuclear components of these items and devices. However, the term does include non-nuclear components of nuclear devices, managed under U.S. DOE's nuclear weapons program after all sanitization operations required under the Atomic Energy Act of 1954, as amended, have been completed.

"Mining overburden returned to the mine site" means any material overlying an economic mineral deposit which is removed to gain access to that deposit and is then used for reclamation of a surface mine.

"Miscellaneous unit" means a hazardous waste management unit where hazardous waste is treated, stored or disposed of and which is not a container, tank, tank system, surface impoundment, pile, land treatment unit, landfill, incinerator, boiler, industrial furnace, underground injection well with appropriate technical standards under 35 Ill. Adm. Code 730, containment building, corrective action management unit (CAMU), or a unit eligible for a research, development and demonstration permit under 35 Ill. Adm. Code 703.231.

"Movement" means that hazardous waste transported to a facility in an individual vehicle.

"New hazardous waste management facility" or "new facility" means a facility which began operation, or for which construction commenced, after November 19, 1980. (See also "Existing hazardous waste management facility".)

"New tank system" or "new tank component" means a tank system or component that will be used for the storage or treatment of hazardous waste and for which installation commenced after July 14, 1986; except, however, for purposes of 35 Ill. Adm. Code 724.293(g)(2) and 725.293(g)(2), a new tank system is one for which construction commences after July 14, 1986. (See also "existing tank system".)

"Onground tank" means a device meeting the definition of "tank" that is situated in such a way that the bottom of the tank is on the same level as the adjacent surrounding surfaces so that the external tank bottom cannot be visually inspected.

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"On-site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way. Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered on-site property.

"Open burning" means the combustion of any material without the following characteristics:

Control of combustion air to maintain adequate temperature for efficient combustion;

Containment of the combustion reaction in an enclosed device to provide sufficient residence time and mixing for complete combustion; and

Control of emission of the gaseous combustion products.

(See also "incineration" and "thermal treatment".)

"Operator" means the person responsible for the overall operation of a facility.

"Owner" means the person who owns a facility or part of a facility.

"Partial closure" means the closure of a hazardous waste management unit in accordance with the applicable closure requirements of 35 Ill. Adm. Code 724 or 725 at a facility which contains other active hazardous waste management units. For example, partial closure may include the closure of a tank (including its associated piping and underlying containment systems), landfill cell, surface impoundment, waste pile or other hazardous waste management unit, while other units of the same facility continue to operate.

"Person" means an individual, trust, firm, joint stock company, federal agency, corporation (including a government corporation), partnership, association, state, municipality, commission, political subdivision of a state or any interstate body.

"Personnel" or "facility personnel" means all persons who work at or oversee the operations of a hazardous waste facility and whose actions or failure to act may result in noncompliance with the requirements of 35 Ill. Adm. Code 724 or 725.

"Pesticide" means any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest or intended

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for use as a plant regulator, defoliant, or desiccant, other than any article that fulfills one of the following descriptions:

It is a new animal drug under Section 201(v) of the Federal Food, Drug and Cosmetic Act (FFDCA); 21 U.S.C. Section 321(v)), incorporated by reference in Section 720.111,

It is an animal drug that has been determined by regulation of the federal Secretary of Health and Human Services pursuant to FFDCA Section 512, incorporated by reference in Section 720.111, to be an exempted new animal drug, or

It is an animal feed under FFDCA Section 201(w) (21 U.S.C. Section 321(w)), incorporated by reference in Section 720.111 that bears or contains any substances described in either of the two preceding subsections of this definition.

BOARD NOTE: The second exception of corresponding 40 CFR 260.10 reads as follows: "Is an animal drug that has been determined by regulation of the Secretary of Health and Human Services not to be a new animal drug". This is very similar to the language of Section 2(u) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA; 7 U.S.C. Section 136(u)). The three exceptions, taken together, appear intended not to include as "pesticide" any material within the scope of Federal Food and Drug Administration regulation. The Board codified this provision with the intent of retaining the same meaning as its federal counterpart while adding the definiteness required under Illinois law.

"Pile" means any noncontainerized accumulation of solid, non-flowing hazardous waste that is used for treatment or storage, and that is not a containment building.

"Plasma arc incinerator" means any enclosed device which uses a high intensity electrical discharge or arc as a source of heat followed by an afterburner using controlled flame combustion and which is not listed as an industrial furnace.

"Point source" means any discernible, confined and discrete conveyance including, but not limited to, any pipe, ditch, channel, tunnel, conduit, well, discrete fissure, container, rolling stock, concentrated animal feeding operation or vessel or other floating craft from which pollutants are or may be discharged. This term does not include return flows from irrigated agriculture.

"Publicly owned treatment works" or "POTW" is as defined in 35 Ill. Adm. Code 310.110.

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"Qualified groundwater scientist" means a scientist or engineer who has received a baccalaureate or post-graduate degree in the natural sciences or engineering, and has sufficient training and experience in groundwater hydrology and related fields, as demonstrated by state registration, professional certifications or completion of accredited university courses that enable the individual to make sound professional judgments regarding groundwater monitoring and containment fate and transport.

BOARD NOTE: "State registration" includes, but is not limited to, registration as a professional engineer with the Department of Professional Regulation, pursuant to 225 ILCS 325/1 and 68 Ill. Adm. Code 1380. "Professional certification" includes, but is not limited to, certification under the certified ground water professional program of the National Ground Water Association.

"Regional Administrator" means the Regional Administrator for the EPA Region in which the facility is located or the Regional Administrator's designee.

"Remediation waste" means all solid and hazardous wastes, and all media (including groundwater, surface water, soils, and sediments) and debris that contain listed hazardous wastes or which themselves exhibit a hazardous waste characteristic which are managed for the purpose of implementing corrective action requirements under 35 Ill. Adm. Code 724.201 and RCRA Section 3008(h). For a given facility, remediation wastes may originate only from within the facility boundary, but may include waste managed in implementing RCRA sections 3004(v) or 3008(h) for releases beyond the facility boundary.

"Replacement unit" means a landfill, surface impoundment or waste pile unit from which all or substantially all of the waste is removed, and which is subsequently reused to treat, store or dispose of hazardous waste. "Replacement unit" does not include a unit from which waste is removed during closure, if the subsequent reuse solely involves the disposal of waste from that unit and other closing units or corrective action areas at the facility, in accordance with a closure or corrective action plan approved by USEPA or the Agency.

"Representative sample" means a sample of a universe or whole (e.g., waste pile, lagoon, groundwater) which can be expected to exhibit the average properties of the universe or whole.

"Runoff" means any rainwater, leachate or other liquid that drains over land from any part of a facility.

"Runon" means any rainwater, leachate or other liquid that drains over land onto any part of a facility.

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"Saturated zone" or "zone of saturation" means that part of the earth's crust in which all voids are filled with water.

"SIC Code" means Standard Industrial Code as defined in Standard Industrial Classification Manual, incorporated by reference in Section 720.111.

"Sludge" means any solid, semi-solid or liquid waste generated from a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant or air pollution control facility exclusive of the treated effluent from a wastewater treatment plant.

"Sludge dryer" means any enclosed thermal treatment device which is used to dehydrate sludge and which has a total thermal input, excluding the heating value of the sludge itself, of 2500 Btu/lb or less of sludge treated on a wet weight basis.

"Small Quantity Generator" means a generator which generates less than 1000 kg of hazardous waste in a calendar month.

"Solid waste" means a solid waste as defined in 35 Ill. Adm. Code 721.102.

"Sorbent" means a material that is used to soak up free liquids by either adsorption or absorption, or both. "Sorb" means to either adsorb or absorb, or both.

"Sump" means any pit or reservoir that meets the definition of tank and those troughs or trenches connected to it that serve to collect hazardous waste for transport to hazardous waste storage, treatment or disposal facilities; except that, as used in the landfill, surface impoundment and waste pile rules, "sump" means any lined pit or reservoir that serves to collect liquids drained from a leachate collection and removal system or leak detection system for subsequent removal from the system.

"State" means any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

"Storage" means the holding of hazardous waste for a temporary period, at the end of which the hazardous waste is treated, disposed of or stored elsewhere.

"Surface impoundment" or "impoundment" means a facility or part of a facility which is a natural topographic depression, manmade excavation or diked area formed primarily of earthen materials (although it may be lined with manmade materials) which is designed to hold an



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accumulation of liquid wastes or wastes containing free liquids and which is not an injection well. Examples of surface impoundments are holding, storage, settling and aeration pits, ponds and lagoons.

"Tank" means a stationary device, designed to contain an accumulation of hazardous waste which is constructed primarily of nonearthen materials (e.g., wood, concrete, steel, plastic) which provide structural support.

"Tank system" means a hazardous waste storage or treatment tank and its associated ancillary equipment and containment system.

"Thermal treatment" means the treatment of hazardous waste in a device which uses elevated temperatures as the primary means to change the chemical, physical or biological character or composition of the hazardous waste. Examples of thermal treatment processes are incineration, molten salt, pyrolysis, calcination, wet air oxidation and microwave discharge. (See also "incinerator" and "open burning".)

"Thermostat" means a temperature control device that contains metallic mercury in an ampule attached to a bimetal sensing element and mercury-containing ampules that have been removed from such a temperature control device in compliance with the requirements of 35 Ill. Adm. Code 733.113(c)(2) or 733.133(c)(2).

"Totally enclosed treatment facility" means a facility for the treatment of hazardous waste which is directly connected to an industrial production process and which is constructed and operated in a manner which prevents the release of any hazardous waste or any constituent thereof into the environment during treatment. An example is a pipe in which waste acid is neutralized.

"Transfer facility" means any transportation related facility including loading docks, parking areas, storage areas and other similar areas where shipments of hazardous waste are held during the normal course of transportation.

"Transport vehicle" means a motor vehicle or rail car used for the transportation of cargo by any mode. Each cargo-carrying body (trailer, railroad freight car, etc.) is a separate transport vehicle.

"Transportation" means the movement of hazardous waste by air, rail, highway or water.

"Transporter" means a person engaged in the off-site transportation of hazardous waste by air, rail, highway or water.

"Treatability study" means:

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A study in which a hazardous waste is subjected to a treatment process to determine:

Whether the waste is amenable to the treatment process.

What pretreatment (if any) is required.

The optimal process conditions needed to achieve the desired treatment.

The efficiency of a treatment process for a specific waste or wastes. Or,

The characteristics and volumes of residuals from a particular treatment process.

Also included in this definition for the purpose of 35 Ill. Adm. Code 721.104(e) and (f) exemptions are liner compatibility, corrosion and other material compatibility studies and toxicological and health effects studies. A "treatability study" is not a means to commercially treat or dispose of hazardous waste.

"Treatment" means any method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of any hazardous waste so as to neutralize such waste, or so as to recover energy or material resources from the waste or so as to render such waste non-hazardous or less hazardous; safer to transport, store or dispose of; or amenable for recovery, amenable for storage or reduced in volume.

"Treatment zone" means a soil area of the unsaturated zone of a land treatment unit within which hazardous constituents are degraded, transformed or immobilized.

"Underground injection" means the subsurface emplacement of fluids through a bored, drilled or driven well; or through a dug well, where the depth of the dug well is greater than the largest surface dimension. (See also "injection well".)

"Underground tank" means a device meeting the definition of "tank" whose entire surface area is totally below the surface of and covered by the ground.

"Unfit-for-use tank system" means a tank system that has been determined through an integrity assessment or other inspection to be no longer capable of storing or treating hazardous waste without posing a threat of release of hazardous waste to the environment.

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"United States" means the 50 states States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa and the Commonwealth of the Northern Mariana Islands.

"Universal waste" means any of the following hazardous wastes that are managed under the universal waste requirement of 35 Ill. Adm. Code 733:

Batteries, as described in 35 Ill. Adm. Code 733.102;

Pesticides, as described in 35 Ill. Adm. Code 733.103;

Thermostats, as described in 35 Ill. Adm. Code 733.104; and

Mercury-containing lamps, as described in 35 Ill. Adm. Code 733.107.

BOARD NOTE: Mercury-containing lamps were added as universal waste pursuant to Section 22.23a of the Act [415 ILCS 5/22.23a] (see P.A. 90-502, effective August 19, 1997).

"Universal waste handler" means either of the following:

A generator (as defined in this Section) of universal waste; or

The owner or operator of a facility, including all contiguous property, that receives universal waste from other universal waste handlers, accumulates the universal waste, and sends that universal waste to another universal waste handler, to a destination facility, or to a foreign destination.

"Universal waste handler" does not mean:

A person that treats (except under the provisions of Section 733.113(a) or (c) or 733.133(a) or (c)), disposes of, or recycles universal waste; or

A person engaged in the off-site transportation of universal waste by air, rail, highway, or water, including a universal waste transfer facility.

"Universal waste transporter" means a person engaged in the off-site transportation of universal waste by air, rail, highway, or water.

"Unsaturated zone" or "zone of aeration" means the zone between the land surface and the water table.

"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are

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hydraulically interconnected with this aquifer within the facility's property boundary.

"USDOT" or "Department of Transportation" means the United States Department of Transportation.

"Used oil" means any oil that has been refined from crude oil, or any synthetic oil, that has been used and as a result of such use is contaminated by physical or chemical impurities.

"USEPA" or "EPA" or "U.S. EPA" means the United States Environmental Protection Agency.

"Vessel" includes every description of watercraft, used or capable of being used as a means of transportation on the water.

"Wastewater treatment unit" means a device which:

Is part of a wastewater treatment facility which has an NPDES permit pursuant to 35 Ill. Adm. Code 309 or a pretreatment permit or authorization to discharge pursuant to 35 Ill. Adm. Code 310; and

Receives and treats or stores an influent wastewater which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or generates and accumulates a wastewater treatment sludge which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103, or treats or stores a wastewater treatment sludge which is a hazardous waste as defined in 35 Ill. Adm. Code 721.103; and

Meets the definition of tank or tank system in this Section.

"Water (bulk shipment)" means the bulk transportation of hazardous waste which is loaded or carried on board a vessel without containers or labels.

"Well" means any shaft or pit dug or bored into the earth, generally of a cylindrical form, and often walled with bricks or tubing to prevent the earth from caving in.

"Well injection" (see See "underground injection").

"Zone of engineering control" means an area under the control of the owner or operator that, upon detection of a hazardous waste release, can be readily cleaned up prior to the release of hazardous waste or hazardous constituents to groundwater or surface water.

(Source: Amended at 22 Ill. Reg. effective

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## Section 720.111 References

- a) The following publications are incorporated by reference for the purposes of this Part and 35 Ill. Adm. Code 703 through 705, 721 through 726, 728, 730, 731, 733, 738, and 739:

ACI. Available from the American Concrete Institute, Box 19150, Redford Station, Detroit, Michigan 48219:

ACI 318-83: "Building Code Requirements for Reinforced Concrete", adopted September, 1983.

ANSI. Available from the American National Standards Institute, 1430 Broadway, New York, New York 10018, 212-354-3300:

ANSI B31.3 and B31.4. See ASME/ANSI B31.3 and B31.4.

API. Available from the American Petroleum Institute, 1220 L Street, N.W., Washington, D.C. 20005, 202-682-8000:

"Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems", API Recommended Practice 1632, Second Edition, December, 1987.

"Evaporative Loss from External Floating-Roof Tanks", API Publication 2517, Third Edition, February, 1989.

"Guide for Inspection of Refinery Equipment, Chapter XIII, Atmospheric and Low Pressure Storage Tanks", 4th Edition, 1981, reaffirmed December, 1987.

"Installation of Underground Petroleum Storage Systems", API Recommended Practice 1615, Fourth Edition, November, 1987.

APTII. Available from the Air and Waste Management Association, Box 2861, Pittsburgh, PA 15230, 412-232-3444:

APTII Course 415: Control of Gaseous Emissions, USEPA Publication EPA-450/2-81-005, December, 1981.

ASME. Available from the American Society of Mechanical Engineers, 345 East 47th Street, New York, NY 10017, 212-705-7722:

"Chemical Plant and Petroleum Refinery Piping", ASME/ANSI B31.3-1987, as supplemented by B31.3a-1988 and B31.3b-1988.

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Also available from ANSI.

"Liquid Transportation Systems for Hydrocarbons, Liquid Petroleum Gas, Anhydrous Ammonia, and Alcohols", ASME/ANSI B31.4-1986, as supplemented by B31.4a-1987. Also available from ANSI.

ASTM. Available from American Society for Testing and Materials, 1916 Race Street, Philadelphia, PA 19103, 215-299-5400:

ASTM C94-90, Standard Specification for Ready-Mixed Concrete, approved March 30, 1990.

ASTM D88-87, Standard Test Method for Saybolt Viscosity, April 24, 1981, reapproved January, 1987.

ASTM D93-85, Standard Test Methods for Flash Point by Pensky - Martens Closed Tester, approved October 25, 1985.

ASTM D1946-90, Standard Practice for Analysis of Reformed Gas by Gas Chromatography, approved March 30, 1990.

ASTM D2161-87, Standard Practice for Conversion of Kinematic Viscosity to Saybolt Universal or to Saybolt Furl Viscosity, March 27, 1987.

ASTM D2267-88, Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography, approved November 17, 1988.

ASTM D2382-88, Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter (High Precision Method), approved October 31, 1988.

ASTM D2879-86, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved October 31, 1986.

ASTM D 2879-92, Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope, approved 1992.

ASTM D3828-87, Standard Test Methods for Flash Point of Liquids by Set a flash Closed Tester, approved December 14, 1988.

ASTM E168-88, Standard Practices for General Techniques of



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Infrared Quantitative Analysis, approved May 27, 1988.

ASTM E169-87, Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis, approved February 1, 1987.

ASTM E260-85, Standard Practice for Packed Column Gas Chromatography, approved June 28, 1985.

ASTM E926-80-E7--Standard-Test-Methods---for---Preparing Refuse-Derived-Fuel---(RDF)--Samples-for-Analysis-of-Metals Bomb-Acid-Digestion-Method--approved-March-25-1986-

ASTM Method G21-70 (1984a) -- Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi.

ASTM Method G22-76 (1984b) -- Standard Practice for Determining Resistance of Plastics to Bacteria.

GPO. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, 202-783-3238:

Standard Industrial Classification Manual (1972), and 1977 Supplement, republished in 1983.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA Publication number SW-846 (Third Edition, November, 1986), as amended by Updates I (July, 1992), II (September, 1994), IIA (August, 1993), and IIB (January, 1995), and III (December, 1996) (Document Number 955-001-00000-1).

NACE. Available from the National Association of Corrosion Engineers, 1400 South Creek Dr., Houston, TX 77084, 713-492-0535:

"Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems", NACE Recommended Practice RP-02-85 RP8205-85, approved March, 1985.

NFPA. Available from the National Fire Protection Association, Batterymarch Park, Boston, MA 02269, 617-770-3000 or 800-344-3555:

"Flammable and Combustible Liquids Code" NFPA 30, issued

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July 17, 1987. Also available from ANSI.

NTIS. Available from the U.S. Department of Commerce, National Technical Information Service, 5285 Port Royal Road, Springfield, VA 22161, 703-487-4600:

APTI Course 415: Control of Gaseous Emissions, USEPA Publication EPA-450/2-81-005, December, 1981.

"Generic Quality Assurance Project Plan for Land Disposal Restrictions Program", EPA/530-SW-87-011, March 15, 1987. (Document number PB 88-170766.)

"Guideline Guidance on Air Quality Models", Revised 1986. (Document number PB86-245-248 (Guideline) and PB88-150-958 (Supplement), also set forth at 40 CFR 51, Appendix W).

"Methods for Chemical Analysis of Water and Wastes", Third Edition, March, 1983. (Document number PB 84-128677).

"Methods Manual for Compliance with BIF Regulations", December, 1990. (Document number PB91-120-006).

"Petitions to Delist Hazardous Wastes--A Guidance Manual, Second Edition", EPA/530-R-93-007, March, 1993. (Document Number PB 93-169 365).

"procedures--Manual--for--Ground--Water--Monitoring-at-Solid Waste-Disposal-Facilities", EPA-530/SW-617-1977---(Document number-PB-84-174828)-

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources", October, 1992, Publication Number EPA-450/R-92-019.

"Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA Publication number SW-846 (Third Edition, November, 1986), as amended by Updates I (July, 1992), II (September, 1994), IIA (August, 1993), IIB (January, 1995), and III (December, 1996) (Document Number 955-001-00000-1).

OECD. Organization for Economic Co-operation and Development, Environment Directorate, 2 rue Andre Pascal, 75775 Paris Cedex 16, France):

OECD Guideline for Testing of Chemicals, Method 301B: "CO[2] Evolution (Modified Sturm Test)", adopted 17 July 1992.

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Table 2.B of the Annex of OECD Council Decision C(88)90(Final) of 27 May 1988.

STI. Available from the Steel Tank Institute, 728 Anthony Trail, Northbrook, IL 60062, 708-498-1980:

"Standard for Dual Wall Underground Steel Storage Tanks" (1986).

U.S. DOD. Available from the United States Department of Defense:

"DOD Ammunition and Explosive Safety Standards" (DOD 6055.9-STD), as in effect on November 8, 1995.

The Motor Vehicle Inspection Report (DD Form 626), as in effect on November 8, 1995.

Requisition Tracking Form (DD Form 1348), as in effect on November 8, 1995.

The Signature and Talley Record (DD Form 1907), as in effect on November 8, 1995.

Special Instructions for Motor Vehicle Drivers (DD Form 836), as in effect on November 8, 1995.

USEPA. Available from United States Environmental Protection Agency, Office of Drinking Water, State Programs Division, WH 550 E, Washington, D.C. 20460:

"Technical Assistance Document: Corrosion, Its Detection and Control in Injection Wells", EPA 570/9-87-002, August, 1987.

USEPA. Available from Receptor Analysis Branch, USEPA (MD-14), Research Triangle Park, NC 27711:

"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised", October, 1992, Publication Number EPA-450/R-92-019.

USEPA. Available from RCRA Information Center (RIC), 1235 Jefferson-Davis Highway, first floor, Arlington, VA 22203 (Docket #F-94-IEHF-FFFFF):

OECD Amber List of Wastes, Appendix 4 to the OECD Council Decision C(92)39/FINAL (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery

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Operations) (May 1993).

OECD Green List of Wastes, Appendix 3 to the OECD Council Decision C(92)39/FINAL (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations) (May 1994).

OECD Red List of Wastes, Appendix 5 to the OECD Council Decision C(92)39/FINAL (Concerning the Control of Transfrontier Movements of Wastes Destined for Recovery Operations) (May 1993).

Table 2.B of the Annex of OECD Council Decision C(88)90(Final) (May 27, 1988).

U.S. GSA. Available from the United States Government Services Administration:

Government Bill of Lading (GBL) (GSA Standard Form 1109), as in effect on November 8, 1995.

b) Code of Federal Regulations. Available from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, 202-783-3238:

10 CFR 20, Appendix B (1997)

40 CFR 51.100(ii) (1997)

40 CFR 51, Appendix Subpart W (1997)

40 CFR 52.741, Appendix B (1997)

40 CFR 60 (1997)

40 CFR 61, Subpart V (1997)

40 CFR 136 (1997)

40 CFR 142 (1997)

40 CFR 220 (1997)

40 CFR 260.20 (1997)

40 CFR 264 (1997)

40 CFR 268, Appendix IX (1997)

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40 CFR 302.4, 302.5 and 302.6 (1997)

40 CFR 761 (1997)

49 CFR 171 (1997)

49 CFR 173 (1997)

49 CFR 178 (1997)

## c) Federal Statutes

Section 3004 of the Resource Conservation and Recovery Act (42 U.S.C. 6901 et seq.), as amended through December 31, 1987.

Sections 201(v), 201(w), and 360b(j) of the Federal Food, Drug, and Cosmetic Act (FFDCA; 21 U.S.C. Sections 321(v), 321 (w) and 512(j)), as amended through October 25, 1994.

Section 1412 of the Department of Defense Authorization Act of 1986, Pub. L. 99-145, 50 U.S.C. 1521(j)(1) (1997).

d) This Section incorporates no later editions or amendments.

(Source: Amended 28 1998 Ill. Reg. 17496, effective

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1) Heading of the Part: Identification and Listing of Hazardous Waste

2) Code Citation: 35 Ill. Adm. Code 721

3) Section Numbers: Adopted Action:

721.101 Amended

721.102 Amended

721.104 Amended

721.105 Amended

721.106 Amended

721.121 Amended

721.132 Amended

721.133 Amended

721.Appendix H Amended

721.Appendix Z Amended

4) Statutory Authority: 415 ILCS 5/22.4 and 27

5) Effective date of amendments: September 28, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738 and 739. The text of Part 721 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations

8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, including any material incorporated by reference is on file in the Board's principal office and is available for public inspection and copying.

9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 9707

10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates



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the nature of the changes to each cited provision.

## Revisions to the Text of the Proposed Amendments in Final Adoption

## Section Revised

## Revision(s)

721.101(c)(10) Changed "which" to "that"; added closing parenthesis

721.102(a)(2)(A) Changed "below" to "of this Section"

721.102(a)(2)(B) Changed "below" to "of this Section"

721.102(a)(2)(C) Changed "below" to "of this Section"

721.102(c) Changed "below" to "of this Section"

721.102(c)(1)(A) Added definite article "the"

721.102(c)(3) Removed underlining from "Section 721."

721.102(c)(4) Added definite article "the"

721.102(d)(2)(A) Changed "%" to "percent"

721.102(d)(2)(B) Changed "1%" to "one percent"

721.102(e)(2) Changed "above" to "of this Section"

721.102(e)(2)(D) Changed "above" to "of this Section"

721.104(a)(1)(A) & (a)(1)(C) Added definition of "domestic sewage" into text by adding parenthetical: "(untreated sanitary wastes that pass through a sewer system)"

721.104(a)(1)(C) Deleted definition of "domestic sewage"

721.104(b)(1)(A)(ii) Changed ending punctuation to a semicolon

721.104(b)(7) Added subsection designation "(b)(7)" to internal self-reference (twice)

721.104(c) Used lower case "section"

721.104(d)(2)(A) Changed "DOT" to "USDOT"

721.104(d)(2)(B) Changed "DOT" to "USDOT"

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721.104(e)(1) Used lower case "section"

721.104(e)(2)(C)(i) Changed "DOT" to "USDOT"

721.104(e)(2)(C)(ii) Changed "DOT" to "USDOT"

721.104(e)(4) Added subsection designation "(e)" to internal self-reference (twice)

721.105(b) Used lower case "section"

721.105(e) Used lower case "section"

721.105(f)(2) Used lower case "section"

721.105(g)(3)(E) Board Note Corrected reference to "(g)(3)(E)"

721.106(a)(3) Used lower case "section"

721.106(b) Used lower case "section"

721.106(c)(1) Used lower case "section"

721.106(c)(2)(A) Used lower case "section"

721.Subpart C Added Subpart heading to text

721.132 K066 Board Note Used lower case "section" (twice)

721.132 K151 Added hyphen to "alpha-"

721.133(e) P001 Changed "%" to "percent" (two entries)

721.133(e) P122 Changed "%" to "percent"

721.133(f) U248 Changed "%" to "percent" (two entries)

721.133(f) U249 Changed "%" to "percent"

721.Appendix H "streptozotocin" Corrected chemical name by adding parenthesis mark

721.Appendix H "trypan blue" Corrected chemical name by adding bracket mark

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- 721.Appendix H  
"warfarin" Changed "q" to "percent" (four entries)
- 721.Appendix H  
"zinc phosphide" Changed "q" to "percent" (two entries)
- 721.Appendix Z Corrected series by removing first "and" and adding comma before the last element

12) Have all the changes agreed upon by the Board and JCRA been made as indicated in the agreements issued by JCRA? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCRA. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCRA staff.

13) Will these amendments replace emergency amendments currently in effect?  
No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

R97-21 Federal RCRA Subtitle C amendments that occurred during 1996, through December 31, 1996.

R98-3 Federal UIC amendments that occurred in the period June 30, 1997.

R98-5 Federal RCRA Subtitle C amendments that occurred in through June 30, 1997.

The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5

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proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728 and 738. The following table briefly summarizes the federal actions in these periods:

61 Fed. Reg. 34251  
(July 1, 1996)  
USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.

61 Fed. Reg. 36419  
(July 10, 1996)  
USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.

61 Fed. Reg. 40520  
(August 5, 1996)  
USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

61 Fed. Reg. 43927  
(August 26, 1996)  
USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

61 Fed. Reg. 56631  
(November 4, 1996)  
USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 CFR 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

61 Fed. Reg. 59931  
(November 25, 1996)  
USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

62 Fed. Reg. 1678  
(January 13, 1997)  
USEPA adopted a change in name and ownership of Envirote Corp.

62 Fed. Reg. 1834  
(January 14, 1997)  
USEPA amended the addresses for its Region V headquarters.

62 Fed. Reg. 1991  
(January 14, 1997)  
USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

62 Fed. Reg. 6621  
(February 12, 1997)  
USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

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- 62 Fed. Reg. 7502  
(February 19, 1997) USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.
- 62 Fed. Reg. 25998  
(May 12, 1997) USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.
- 62 Fed. Reg. 32452  
(June 13, 1997) USEPA amended the hazardous waste testing and monitoring regulations.
- 62 Fed. Reg. 32974  
(June 17, 1997) USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal C.F.R. correction of November 4, 1996, and the January 13, 1997, federal change in the Enviro hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

- 61 Fed. Reg. 34251  
(July 1, 1996) CESQG waste rules.
- 62 Fed. Reg. 1834  
(January 14, 1997) Amendments to USEPA addresses.
- 62 Fed. Reg. 6621  
(February 12, 1997) Military munitions rules.
- 62 Fed. Reg. 25998  
(May 12, 1997) Phase IV land disposal restriction amendments.
- 62 Fed. Reg. 32452  
(June 13, 1997) Amended hazardous waste testing and monitoring rules.

Specifically, the amendments to Part 721 implement segments of the

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February 12, 1997, military munitions rules, the May 12, 1997, Phase IV land disposal restrictions, and the July 1, 1996 conditionally exempt small quantity generator waste rules.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998 from Victoria Agyeman at 312-814-3620. Please refer to consolidated docket number R97-21/R98-3/R98-5.

The full text of the Adopted Amendments begins on the next page:



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TITLE 35: ENVIRONMENTAL PROTECTION  
 SUBTITLE G: WASTE DISPOSAL  
 CHAPTER I: POLLUTION CONTROL BOARD  
 SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 721  
 IDENTIFICATION AND LISTING OF  
 HAZARDOUS WASTE

SUBPART A: GENERAL PROVISIONS

Section	Purpose of Scope	Quantity
721.101	Definition of Solid Waste	
721.102	Definition of Hazardous Waste	
721.103	Exclusions	
721.104	Special Requirements for Hazardous Waste Generated by Small Generators	
721.105	Requirements for Recyclable Materials	
721.106	Residues of Hazardous Waste in Empty Containers	
721.107	PCB Wastes Regulated under TSCA	
721.108	Requirements for Universal Waste	
721.109		

SUBPART B: CRITERIA FOR IDENTIFYING THE  
 CHARACTERISTICS OF HAZARDOUS WASTE  
 AND FOR LISTING HAZARDOUS WASTES

Section	Criteria for Identifying the Characteristics of Hazardous Waste
721.110	Criteria for Listing Hazardous Waste
721.111	

SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE

Section	General
721.120	Characteristic of Ignitability
721.121	Characteristic of Corrosivity
721.122	Characteristic of Reactivity
721.123	Toxicity Characteristic
721.124	

SUBPART D: LISTS OF HAZARDOUS WASTE

Section	General
721.130	Hazardous Wastes From Nonspecific Sources
721.131	Hazardous Waste from Specific Sources
721.132	Discarded Commercial Chemical Products, Off-Specification Species, Container Residues, and Spill Residues Thereof
721.133	

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721.135 Wood Preserving Wastes

APPENDIX A	Representative Sampling Methods
APPENDIX B	Method 1311 Toxicity Characteristic Leaching Procedure (TCLP)
APPENDIX C	Chemical Analysis Test Methods
TABLE A	Analytical Characteristics of Organic Chemicals (Repealed)
TABLE B	Analytical Characteristics of Inorganic Species (Repealed)
TABLE C	Sample Preparation/Sample Introduction Techniques (Repealed)
APPENDIX G	Basis for Listing Hazardous Wastes
APPENDIX H	Hazardous Constituents
APPENDIX I	Wastes Excluded by Administrative Action
TABLE A	Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Non-Specific Sources
TABLE B	Wastes Excluded by USEPA under 40 CFR 260.20 and 260.22 from Specific Sources
TABLE C	Wastes Excluded by U.S. EPA under 40 CFR 260.20 and 260.22 from Commercial Chemical Products, Off-Specification Species, Container Residues, and Soil Residues Thereof
TABLE D	Wastes Excluded by the Board by Adjusted Standard
APPENDIX J	Method of Analysis of Chlorinated Dibenzo-p-Dioxins and Dibenzofurans (Repealed)
APPENDIX Z	Table to Section 721.102

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 13999, effective October 12, 1983; amended in R84-34, 61 PCB 247, at 8 Ill. Reg. 24562, effective December 11, 1984; amended in R84-9, at 9 Ill. Reg. 11834, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 998, effective January 2, 1986; amended in R85-2 at 10 Ill. Reg. 8112, effective May 2, 1986; amended in R86-1 at 10 Ill. Reg. 14002, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20647, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 6035, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13466, effective August 4, 1987; amended in R87-32 at 11 Ill. Reg. 16698, effective September 30, 1987; amended in R87-5 at 11 Ill. Reg. 19303, effective November 12, 1987; amended in R87-26 at 12 Ill. Reg. 2456, effective January 15, 1988; amended in R87-30 at 12 Ill. Reg. 12070, effective July 12, 1988; amended in R87-39 at 12 Ill. Reg. 13006, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 382, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18300, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14401, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16472, effective September 25, 1990; amended in R90-17 at 15 Ill. Reg. 7950, effective May 9, 1991; amended in R90-11 at 15 Ill. Reg. 9332, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14473, effective September 30, 1991; amended

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in R91-12 at 16 Ill. Reg. 2155, effective January 27, 1992; amended in R91-26 at 16 Ill. Reg. 2600, effective February 3, 1992; amended in R91-13 at 16 Ill. Reg. 9519, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17666, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5650, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20568, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6741, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12175, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17490, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9522, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 10963, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 275, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7615, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. **17531**, effective **SEP 28 1998**.

## SUBPART A: GENERAL

## Section 721.101 Purpose and Scope

a) This Part identifies those solid wastes which are subject to regulation as hazardous wastes under 35 Ill. Adm. Code 702, 703, 705 and 722 through 725 and 728, and which are subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.). In this Part:

1) Subpart A defines the terms "solid waste" and "hazardous waste," identifies those wastes which are excluded from regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and establishes special management requirements for hazardous waste produced by conditionally exempt small quantity generators and hazardous waste which is recycled.

2) Subpart B sets forth the criteria used to identify characteristics of hazardous waste and to list particular hazardous wastes.

3) Subpart C identifies characteristics of hazardous wastes.

4) Subpart D lists particular hazardous wastes.

b) Limitations on definition of solid waste:

1) The definition of solid waste contained in this Part applies only to wastes that also are hazardous for purposes of the regulations implementing Subtitle C of RCRA the Resource-Conservation-and-Recovery-Act. For example, it does not apply to materials (such as non-hazardous scrap, paper, textiles or rubber) that are not otherwise hazardous wastes and that are recycled.

2) This Part identifies only some of the materials which are solid wastes and hazardous wastes under Sections 1004(5), 1004(27) and 7003 of RCRA. A material which is not defined as a solid waste in this Part, or is not a hazardous waste identified or listed in this Part, is still a hazardous waste for purposes of those Sections if, in the case of Section 7003 of RCRA, the statutory elements are established.

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c) For the purposes of Sections 721.102 and 721.106:

1) A "spent material" is any material that has been used and as a result of contamination can no longer serve the purpose for which it was produced without processing.

2) "Sludge" has the same meaning used in 35 Ill. Adm. Code 720.110.

3) A "by-product" is a material that is not one of the primary products of a production process and is not solely or separately produced by the production process. Examples are process residues such as slugs or distillation column bottoms. The term does not include a co-product that is produced for the general public's use and is ordinarily used in the form it is produced by the process.

4) A material is "reclaimed" if it is processed to recover a usable product, or if it is regenerated. Examples are recovery of lead values from spent batteries and regeneration of spent solvents.

5) A material is "used or reused" if it is either:

A) Employed as an ingredient (including use as an intermediate) in an industrial process to make a product (for example, distillation bottoms from one process used as feedstock in another process). However, a material will not satisfy this condition if distinct components of the material are recovered as separate end products (as when metals are recovered from metal-containing secondary materials); or

B) Employed in a particular function or application as an effective substitute for a commercial product (for example, spent pickle liquor used as phosphorus precipitant and sludge conditioner in wastewater treatment).

6) "Scrap metal" is bits and pieces of metal parts (e.g., bars, turnings, rods, sheets, wire) or metal pieces that may be combined together with bolts or soldering (e.g., radiators, scrap automobiles, railroad box cars) which when worn or superfluous can be recycled.

7) A material is "recycled" if it is used, reused or reclaimed.

8) A material is "accumulated speculatively" if it is accumulated before being recycled. A material is not accumulated speculatively, however, if the person accumulating it can show that the material is potentially recyclable and has a feasible means of being recycled; and that -- during the calendar year (commencing on January 1) -- the amount of material that is recycled, or transferred to a different site for recycling, equals at least 75 percent by weight or volume of the amount of that material accumulated at the beginning of the period. In calculating the percentage of turnover, the 75 percent requirement is to be applied to each material of the same type (e.g., slugs from a single smelting process) that is recycled in the same way (i.e., from which the same material is recovered or that is used in the same way). Materials accumulating in units that should be exempt from regulation under Section 721.104(c)

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are not to be included in making the calculation. (Materials that are already defined as solid wastes also are not to be included in making the calculation.) Materials are no longer in this category once they are removed from accumulation for recycling, however.

9) "Excluded scrap metal" is processed scrap metal, unprocessed home scrap metal, and unprocessed prompt scrap metal.

10) "Processed scrap metal" is scrap metal that has been manually or physically altered to either separate it into distinct materials to enhance economic value or to improve the handling of materials. Processed scrap metal includes, but is not limited to, scrap metal that has been baled, shredded, sheared, chopped, crushed, flattened, cut, melted, or separated by metal type (i.e., sorted), and fines, drosses, and related materials that have been agglomerated. (Note: shredded circuit boards being sent for recycling are not considered processed scrap metal. They are covered under the exclusion from the definition of solid waste for shredded circuit boards being recycled (Section 721.104(a)(13)).)

11) "Home scrap metal" is scrap metal as generated by steel mills, foundries, and refineries, such as turnings, cuttings, punchings, and borings.

12) "Prompt scrap metal" is scrap metal as generated by the metal working/fabrication industries, and it includes such scrap metal as turnings, cuttings, punchings, and borings. Prompt scrap metal is also known as industrial or new scrap metal.

d) The Agency has inspection authority pursuant to Section 3007 of RCRA Resource---Conservation---and---Recovery---Act and Section 4 of the Environmental Protection Act.

(Source: Amended at 22 Ill. Reg. 17531, effective SEP 28 1998)

## Section 721.102 Definition of Solid Waste

a) Solid waste.

1) A solid waste is any discarded material that is not excluded by Section 721.104(a) or that is not excluded pursuant to 35 Ill. Adm. Code 720.130 and 720.131.

2) A discarded material is any material that is:

A) Abandoned, as explained in subsection (b) of this Section below; or

B) Recycled, as explained in subsection (c) of this Section below; or

C) Considered inherently waste-like, as explained in subsection (d) of this Section below; or

D) A military munition identified as a solid waste in 35 Ill. Adm. Code 726.302.

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b) Materials are solid waste if they are abandoned by being:

1) Disposed of; or

2) Burned or incinerated; or

3) Accumulated, stored or treated (but not recycled) before or in lieu of being abandoned by being disposed of, burned or incinerated.

c) Materials are solid wastes if they are recycled -- or accumulated, stored or treated before recycling -- as specified in subsections (c)(1) through (c)(4) of this Section below if they are:

1) Used in a manner constituting disposal.

A) Materials noted with a "yes" in column 1 of the table in Section 721.133 are solid wastes when they are:

i) Applied to or placed on the land in a manner that constitutes disposal; or

ii) Used to produce products that are applied to or placed on the land or are otherwise contained in products that are applied to or placed on the land (in which cases the product itself remains a solid waste).

B) However, commercial chemical products listed in Section 721.133 are not solid wastes if they are applied to the land and that is their ordinary manner of use.

2) Burned for energy recovery.

A) Materials noted with a "yes" in column 2 of the table in Section 721.133 are solid wastes when they are:

i) Burned to produce energy;

ii) Used to produce a fuel or are otherwise contained in fuels (in which case the fuel itself remains a solid waste);

iii) Contained in fuels (in which case the fuel itself remains a solid waste).

B) However, commercial chemical products listed in Section 721.133 are not solid wastes when reclaimed.

3) Reclaimed. Materials noted with a "yes" in column 3 of the table in Section 721.133 are solid wastes when reclaimed.

4) Accumulated speculatively. Materials noted with "yes" in column 4 of the table in Section 721.133 are solid wastes when accumulated speculatively.

d) Inherently waste-like materials. The following materials are solid wastes when they are recycled in any manner:

1) Hazardous waste numbers F020, F021 (unless used as an ingredient to make a product at the site of generation), F022, F023, F026, and F028.

2) Secondary materials fed to a halogen acid furnace that exhibit a characteristic of a hazardous waste or are listed as a hazardous waste as defined in Subpart 721-Subparts C or D of this Part, except for brominated material that meets the following criteria:

A) The material must contain a bromine concentration of at least 45 percent.



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- B) The material must contain less than a total of one percent of toxic organic compounds listed in Section 721. Appendix H; and
- C) The material is processed continually on-site in the halogen acid furnace via direct conveyance (hard piping).
- 3) The following criteria are used to add wastes to the list:

- A) Disposal method or toxicity
- The materials are ordinarily disposed of, burned, or incinerated; or
  - The materials contain toxic constituents listed in Section 721. Appendix H and these constituents are not ordinarily found in raw materials or products for which the materials substitute (or are found in raw materials or products in smaller concentrations) and are not used or reused during the recycling process; and
- B) The material may pose a substantial hazard to human health and the environment when recycled.

- e) Materials that are not solid waste when recycled.
- 1) Materials are not solid wastes when they can be shown to be recycled by being:

- Used or reused as ingredients in an industrial process to make a product, provided the materials are not being reclaimed; or
- Used or reused as effective substitutes for commercial products; or
- Returned to the original process from which they are generated without first being reclaimed. The materials must be returned as a substitute for feedstock materials. In cases where the original process to which the material is returned is a secondary process, the materials must be managed so there is no placement on the land.

- 2) The following materials are solid wastes, even if the recycling involves use, reuse, or return to the original process (described in subsections (e)(1)(A) through (e)(1)(C) of this Section above):

- Materials used in a manner constituting disposal or used to produce products that are applied to the land; or
- Materials burned for energy recovery; used to produce a fuel, or contained in fuels; or
- Materials accumulated speculatively; or
- Materials listed in subsections (d)(1) and (d)(2) this Section above.

- f) Documentation of claims that materials are not solid wastes or are conditionally exempt from regulation. Respondents in actions to enforce regulations implementing Subtitle C of RCRA the--Resource Conservation---Recovery---Act or Section 21 of the Environmental Protection Act that raise a claim that a certain material is not solid waste or that the material is conditionally exempt from regulation

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must demonstrate that there is a known market or disposition for the material and that they meet the terms of the exclusion or exemption. In doing so, the person must provide appropriate documentation (such as contracts showing that a second person used the material as an ingredient in a production process) to demonstrate that the material is not a waste or that the material is exempt from regulation. In addition, owners or operators of facilities claiming that they actually are recycling materials must show that they have the necessary equipment to do so.

(Source: Amended at 22 Ill. Reg. 17531, effective SEP 28 1999)

## Section 721.104 Exclusions

- a) Materials that are not solid wastes. The following materials are not solid wastes for the purpose of this Part:

- Sewage:
  - Domestic sewage (untreated sanitary wastes that pass through a sewer system); and
  - Any mixture of domestic sewage and other waste that passes through a sewer system to publicly-owned treatment works for treatment.
- Domestic-sewage--means-untreated-sanitary-wastes-that--pass-through-a-sewer-system
- Industrial wastewater discharges that are point source discharges with National Pollutant Discharge Elimination System (NPDES) permits issued by the Agency pursuant to Section 12(f) of the Environmental Protection Act and 35 Ill. Adm. Code 309.  
BOARD NOTE: This exclusion applies only to the actual point source discharge. It does not exclude industrial wastewater while they are being collected, stored, or treated before discharge, nor does it exclude sludges that are generated by industrial wastewater treatment.
- Irrigation return flows.
- Source, special nuclear, or by-product material as defined by the Atomic Energy Act of 1954, as amended (42 U.S.C. 2011 et seq.).
- Materials subjected to in-situ mining techniques that are not removed from the ground as part of the extraction process.
- Pulping liquors (i.e., black liquors liquor) that are reclaimed in a pulping liquor recovery furnace and then reused in the pulping process, unless accumulated speculatively, as defined in Section 721.101(c).
- Spent sulfuric acid used to produce virgin sulfuric acid unless it is accumulated speculatively, as defined in Section 721.101(c).
- Secondary materials that are reclaimed and returned to the original process or processes in which they were generated where

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they are reused in the production process, provided:

- A) Only tank storage is involved, and the entire process through completion of reclamation is closed by being entirely connected with pipes or other compatible enclosed means of conveyance;
- B) Reclamation does not involve controlled flame combustion (such as occurs in boilers, industrial furnaces or incinerators);
- C) The secondary materials are never accumulated in such tanks for over twelve months without being reclaimed; and
- D) The reclaimed material is not used to produce a fuel or used to produce products that are used in a manner constituting disposal.

## 9) Wood preserving wastes.

- A) Spent wood preserving solutions that have been used and which are reclaimed and reused for their original intended purpose; and

- B) Wastewaters from the wood preserving process that have been reclaimed and which are reused to treat wood.

- 10) Hazardous waste numbers K060, K087, K141, K142, K143, K144, K145, K147, and K148, and any wastes from the coke by-products processes that are hazardous only because they exhibit the toxicity characteristic specified in Section 721.124, when subsequent to generation these materials are recycled to coke ovens, to the tar recovery process as a feedstock to produce coal tar, or are mixed with coal tar prior to the tar's sale or refining. This exclusion is conditioned on there being no land disposal of the waste from the point it is generated to the point it is recycled to coke ovens, to tar recovery, to the tar refining processes, or prior to when it is mixed with coal.
- 11) Nonwastewater splash condenser dross residue from the treatment of hazardous waste number K061 in high temperature metals recovery units, provided it is shipped in drums (if shipped) and not land disposed before recovery.

- 12) Recovered oil from petroleum refining, exploration, and production and from transportation incident thereto that is to be inserted into the petroleum refining process (SIC Code 2911) at or before a point (other than direct insertion into a coker) where contaminants are removed. This exclusion applies to recovered oil stored or transported prior to insertion, except that the oil must not be stored in a manner involving placement on the land and the oil must not be accumulated speculatively before being recycled. Recovered oil is oil that has been reclaimed from secondary materials (such as wastewater) generated from normal petroleum refining, exploration, and production, and from transportation practices. Recovered oil includes oil that is recovered from refinery wastewater collection and treatment systems, oil recovered from oil and gas drilling operations, and

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oil recovered from wastes removed from crude oil storage tanks. Recovered oil does not include (among other things) oil-bearing hazardous waste listed in Subpart D of this Part (e.g., K048 through K052, F037, and F038). However, oil recovered from such wastes may be considered recovered oil. Recovered oil also does not include used oil as defined in 35 Ill. Adm. Code 739.100.

- 13) Excluded scrap metal (processed scrap metal, unprocessed home scrap metal, and unprocessed prompt scrap metal) being recycled.
- 14) Shredded circuit boards being recycled, provided that they meet the following conditions:
  - A) The circuit boards are stored in containers sufficient to prevent a release to the environment prior to recovery; and
  - B) The circuit boards are free of mercury switches, mercury relays and nickel-cadmium batteries and lithium batteries.

- b) Solid wastes that are not hazardous wastes. The following solid wastes are not hazardous wastes:
  - 1) Household waste, including household waste that has been collected, transported, stored, treated, disposed, recovered (e.g., refuse-derived fuel), or reused. "Household waste" means any waste material (including garbage, trash, and sanitary wastes in septic tanks) derived from households (including single and multiple residences, hotels, and motels, bunkhouses, ranger stations, crew quarters, campgrounds, picnic grounds, and day-use recreation areas). A resource recovery facility managing municipal solid waste shall not be deemed to be treating, storing, disposing of, or otherwise managing hazardous wastes for the purposes of regulation under this Part, if such facility:
    - A) Receives and burns only:
      - i) Household waste (from single and multiple dwellings, hotels, motels, and other residential sources); and
      - ii) Solid waste from commercial or industrial sources that does not contain hazardous waste; and
    - B) Such facility does not accept hazardous waste and the owner or operator of such facility has established contractual requirements or other appropriate notification or inspection procedures to assure that hazardous wastes are not received at or burned in such facility.

BOARD NOTE: The U.S. Supreme Court determined, in City of Chicago v. Environmental Defense Fund, Inc., 511 U.S. 328, 114 S. Ct. 1588, 128 L. Ed. 2d 302 (1994), that this exclusion and RCRA section 3001(i) (42 U.S.C. 6921(i)) do not exclude the ash from facilities covered by this subsection from regulation as a hazardous waste. At 59 Fed. Reg. 23372 (June 7, 1994), USEPA granted facilities managing ash from such facilities that is determined a hazardous waste under Subpart C of this Part until December 7, 1994 to file a Part A permit application pursuant to 35 Ill. Adm. Code 703.181. At 60 Fed. Reg. 6666 (Feb. 3, 1995), USEPA

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stated that it interpreted that the point at which ash becomes subject to RCRA Subtitle C regulation is when that material leaves the combustion building (including connected air pollution control equipment).

- 2) Solid wastes generated by any of the following that are returned to the soil as fertilizers:

A) The growing and harvesting of agricultural crops, or  
B) The raising of animals, including animal manures.

- 3) Mining overburden returned to the mine site.

4) Fly ash waste, bottom ash waste, slag waste, and flue gas emission control waste generated primarily from the combustion of coal or other fossil fuels, except as provided in 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.

- 5) Drilling fluids, produced waters, and other wastes associated with the exploration, development, or production of crude oil, natural gas, or geothermal energy.

- 6) Chromium wastes:

A) Wastes that fail the test for the toxicity characteristic (Sections 721.124 and Section 721-Appendix B) because chromium is present or which are listed in Subpart D of this Part due to the presence of chromium, that do not fail the test for the toxicity characteristic for any other constituent or which are not listed due to the presence of any other constituent, and that do not fail the test for any other characteristic, if it is shown by a waste generator or by waste generators that:

- i) The chromium in the waste is exclusively (or nearly exclusively) trivalent chromium;
- ii) The waste is generated from an industrial process that uses trivalent chromium exclusively (or nearly exclusively) and the process does not generate hexavalent chromium; and
- iii) The waste is typically and frequently managed in non-oxidizing environments.

- B) Specific wastes that meet the standard in subsection (b)(6)(A) of this Section (so long as they do not fail the test for the toxicity characteristic for any other constituent and do not exhibit any other characteristic) are:

i) Chrome (blue) trimmings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

ii) Chrome (blue) shavings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no

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beamhouse, through-the-blue, and shearling;  
iii) Buffing dust generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue;

iv) Sewer screenings generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

v) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, retan/wet finish, no beamhouse, through-the-blue, and shearling;

vi) Wastewater treatment sludges generated by the following subcategories of the leather tanning and finishing industry: hair pulp/chrome tan/retan/wet finish, hair save/chrome tan/retan/wet finish, and through-the-blue;

vii) Waste scrap leather from the leather tanning industry, the shoe manufacturing industry, and other leather product manufacturing industries; and

viii) Wastewater treatment sludges from the production of titanium dioxide pigment using chromium-bearing ores by the chloride process.

- 7) Solid waste from the extraction, beneficiation, and processing of ores and minerals (including coal, phosphate rock, and overburden from the mining of uranium ore), except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste. For purposes of this subsection (b)(7), beneficiation of ores and minerals is restricted to the following activities: crushing, grinding, washing, dissolution, crystallization, filtration, sorting, sizing, drying, sintering, pelletizing, briquetting, calcining to remove water or carbon dioxide, roasting, autoclaving or chlorination in preparation for leaching (except where the roasting or autoclaving or chlorination and leaching sequence produces a final or intermediate product that does not undergo further beneficiation or processing), gravity concentration, magnetic separation, electrostatic separation, floatation, ion exchange, solvent extraction, electrowinning, precipitation, amalgamation, and heap, dump, vat tank, and in situ leaching. For the purposes of this subsection (b)(7), solid waste from the processing of ores and minerals includes only the following wastes:

- A) Slag from primary copper processing,
- B) Slag from primary lead processing,
- C) Red and brown muds from bauxite refining,



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- D) Phosphogypsum from phosphoric acid production,  
 E) Slag from elemental phosphorus production,  
 F) Gasifier ash from coal gasification,  
 G) Process wastewater from coal gasification,  
 H) Calcium sulfate wastewater treatment plant sludge from primary copper processing,  
 I) Slag tailings from primary copper processing,  
 J) Fluorogypsum from hydrofluoric acid production,  
 K) Process wastewater from hydrofluoric acid production,  
 L) Air pollution control dust or sludge from iron blast furnaces,  
 M) Iron blast furnace slag,  
 N) Treated residue from roasting and leaching of chrome ore,  
 O) Process wastewater from primary magnesium processing by the anhydrous process,  
 P) Process wastewater from phosphoric acid production,  
 Q) Basic oxygen furnace and open hearth furnace air pollution control dust or sludge from carbon steel production,  
 R) Basic oxygen furnace and open hearth furnace slag from carbon steel production,  
 S) Chloride processing waste solids from titanium tetrachloride production, and  
 T) Slag from primary zinc smelting.
- 8) Cement kiln dust waste, except as provided by 35 Ill. Adm. Code 726.212 for facilities that burn or process hazardous waste.
- 9) Solid waste that consists of discarded arsenical-treated wood or wood products that fails the test for the toxicity characteristic for hazardous waste codes D004 through D017 and which is not a hazardous waste for any other reason if the waste is generated by persons that utilize the arsenical-treated wood and wood products for these materials' intended end use.
- 10) Petroleum-contaminated media and debris that fail the test for the toxicity characteristic of Section 721.124 (hazardous waste codes D018 through D043 only) and which are subject to corrective action regulations under 35 Ill. Adm. Code 731.
- 11) This subsection corresponds with 40 CFR 261.4(b)(11), which expired by its own terms on January 25, 1993. This statement maintains structural parity with USEPA regulations.
- 12) Used chlorofluorocarbon refrigerants from totally enclosed heat transfer equipment, including mobile air conditioning systems, mobile refrigeration, and commercial and industrial air conditioning and refrigeration systems that uses chlorofluorocarbons as the heat transfer fluid in a refrigeration cycle, provided the refrigerant is reclaimed for further use.
- 13) Non-terne plated used oil filters that are not mixed with wastes listed in Subpart D of this Part, if these oil filters have been gravity hot-drained using one of the following methods:  
 A) Puncturing the filter anti-drain back valve or the filter

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- dome end and hot-draining;  
 B) Hot-draining and crushing;  
 C) Dismantling and hot-draining; or  
 D) Any other equivalent hot-draining method that will remove used oil.
- 14) Used oil re-refining distillation bottoms that are used as feedstock to manufacture asphalt products.
- c) Hazardous wastes that are exempted from certain regulations. A hazardous waste that is generated in a product or raw material storage tank, a product or raw material transport vehicle or vessel, a product or raw material pipeline, or in a manufacturing process unit, or an associated non-waste-treatment manufacturing unit, is not subject to regulation under 35 Ill. Adm. Code 702, 703, 705, and 722 through 725, and 728 or to the notification requirements of Section 3010 of RCRA until it exits the unit in which it was generated, unless the unit is a surface impoundment, or unless the hazardous waste remains in the unit more than 90 days after the unit ceases to be operated for manufacturing or for storage or transportation of product or raw materials.
- d) Samples.
- 1) Except as provided in subsection (d)(2) of this Section, a sample of solid waste or a sample of water, soil, or air that is collected for the sole purpose of testing to determine its characteristics or composition is not subject to any requirements of this Part or 35 Ill. Adm. Code 702, 703, 705 and 722 through 728. The sample qualifies when:  
 A) The sample is being transported to a laboratory for the purpose of testing;  
 B) The sample is being transported back to the sample collector after testing;  
 C) The sample is being stored by the sample collector before transport to a laboratory for testing;  
 D) The sample is being stored in a laboratory before testing;  
 E) The sample is being stored in a laboratory for testing but before it is returned to the sample collector; or  
 F) The sample is being stored temporarily in the laboratory after testing for a specific purpose (for example, until conclusion of a court case or enforcement action where further testing of the sample may be necessary).
- 2) In order to qualify for the exemption in subsection (d)(1)(A) or (d)(1)(B) of this Section, a sample collector shipping samples to a laboratory and a laboratory returning samples to a sample collector shall:  
 A) Comply with U.S. Department of Transportation (USDOT 607), U.S. Postal Service (USPS), or any other applicable shipping requirements; or  
 B) Comply with the following requirements if the sample collector determines that USDOT 607, USPS, or other shipping

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requirements do not apply to the shipment of the sample:

- i) Assume that the following information accompanies the sample: The sample collector's name, mailing address, and telephone number; the laboratory's name, mailing address, and telephone number; the quantity of the sample; the date of the shipment; and a description of the sample.
  - ii) Package the sample so that it does not leak, spill, or vaporize from its packaging.
- 3) This exemption does not apply if the laboratory determines that the waste is hazardous but the laboratory is no longer meeting any of the conditions stated in subsection (d)(1) of this Section.

## e) Treatability study samples.

- 1) Except as is provided in subsection (e)(2) of this Section, a person that generates or collects samples for the purpose of conducting treatability studies, as defined in 35 Ill. Adm. Code 720.110, are not subject to any requirement of 35 Ill. Adm. Code 721 through 723 or to the notification requirements of section 301.0 of the Resource Conservation and Recovery Act. Nor are such samples included in the quantity determinations of Section 721.105 and 35 Ill. Adm. Code 722.134(d) when:

- A) The sample is being collected and prepared for transportation by the generator or sample collector;
  - B) The sample is being accumulated or stored by the generator or sample collector prior to transportation to a laboratory or testing facility; or
  - C) The sample is being transported to the laboratory or testing facility for the purpose of conducting a treatability study.
- 2) The exemption in subsection (e)(1) of this Section is applicable to samples of hazardous waste being collected and shipped for the purpose of conducting treatability studies provided that:
- A) The generator or sample collector uses (in "treatability studies") no more than 10,000 kg of media contaminated with non-acute hazardous waste, 1000 kg of non-acute hazardous waste other than contaminated media, 1 kg of acute hazardous waste, or 2500 kg of media contaminated with acute hazardous waste for each process being evaluated for each generated wastestream;
  - B) The mass of each shipment does not exceed 10,000 kg; the 10,000 kg quantity may be all media contaminated with non-acute hazardous waste, or may include 2500 kg of media contaminated with acute hazardous waste, 1000 kg of hazardous waste, and 1 kg of acute hazardous waste;
  - C) The sample must be packaged so that it does not leak, spill, or vaporize from its packaging during shipment and the requirements of subsections (e)(2)(C)(i) or (e)(2)(C)(ii) of this Section are met.

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- i) The transportation of each sample shipment complies with U.S. Department of Transportation (USDOT 609), U.S. Postal Service (USPS), or any other applicable shipping requirements; or
  - ii) If the USDOT 609, USPS, or other shipping requirements do not apply to the shipment of the sample, the following information must accompany the sample: The name, mailing address, and telephone number of the originator of the sample; the name, address, and telephone number of the facility that will perform the treatability study; the quantity of the sample; the date of the shipment; and, a description of the sample, including its USEPA hazardous waste number;
- D) The sample is shipped to a laboratory or testing facility that is exempt under subsection (f) of this Section, or has an appropriate RCRA permit or interim status;
- E) The generator or sample collector maintains the following records for a period ending three years after completion of the treatability study:
- i) Copies of the shipping documents;
  - ii) A copy of the contract with the facility conducting the treatability study;
  - iii) Documentation showing: The amount of waste shipped under this exemption; the name, address, and USEPA identification number of the laboratory or testing facility that received the waste; the date the shipment was made; and whether or not unused samples and residues were returned to the generator; and
- F) The generator reports the information required in subsection (e)(2)(E)(iii) of this Section in its report under 35 Ill. Adm. Code 722.141.
- 3) The Agency may grant requests on a case-by-case basis for up to an additional two years for treatability studies involving bioremediation. The Agency may grant requests, on a case-by-case basis, for quantity limits in excess of those specified in subsections (e)(2)(A), (e)(2)(B), and (f)(4) of this Section, for up to an additional 5000 kg of media contaminated with non-acute hazardous waste, 500 kg of non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, and 1 kg of acute hazardous waste:
- A) In response to requests for authorization to ship, store, and conduct further treatability studies on additional quantities in advance of commencing treatability studies. Factors to be considered in reviewing such requests include the nature of the technology, the type of process (e.g., batch versus continuous), the size of the unit undergoing testing (particularly in relation to scale-up considerations), the time or quantity of material required

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to reach steady-state operating conditions, or test design considerations, such as mass balance calculations.

- B) In response to requests for authorization to ship, store, and conduct treatability studies on additional quantities after initiation or completion of initial treatability studies when: There has been an equipment or mechanical failure during the conduct of the treatability study, there is need to verify the results of a previously-conducted treatability study, there is a need to study and analyze alternative techniques within a previously-evaluated treatment process, or there is a need to do further evaluation of an ongoing treatability study to determine final specifications for treatment.

- C) The additional quantities allowed and timeframes allowed in subsections (e)(3)(A) and (e)(3)(B) of this Section are subject to all the provisions in subsections (e)(1) and (e)(2)(B) through (e)(2)(F) of this Section. The generator or sample collector shall apply to the Agency and provide in writing the following information:

- i) The reason why the generator or sample collector requires additional time or quantity of sample for the treatability study evaluation and the additional time or quantity needed;
  - ii) Documentation accounting for all samples of hazardous waste from the wastestream that have been sent for or undergone treatability studies, including the date each previous sample from the waste stream was shipped, the quantity of each previous shipment, the laboratory or testing facility to which it was shipped, what treatability study processes were conducted on each sample shipped, and the available results of each treatability study;
  - iii) A description of the technical modifications or change in specifications that will be evaluated and the expected results;
  - iv) If such further study is being required due to equipment or mechanical failure, the applicant shall include information regarding the reason for the failure or breakdown and also include what procedures or equipment improvements have been made to protect against further breakdowns; and
  - v) Such other information as the Agency determines is necessary.
- 4) Final Agency determinations pursuant to this subsection (e) may be appealed to the Board.
- f) Samples undergoing treatability studies at laboratories or testing facilities. Samples undergoing treatability studies and the laboratory or testing facility conducting such treatability studies

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(to the extent such facilities are not otherwise subject to RCRA requirements) are not subject to any requirement of this Part, or of 35 Ill. Adm. Code 702, 703, 705, 722 through 726, and 728 or to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act, provided that the requirements of subsections (f)(1) through (f)(11) of this Section are met. A mobile treatment unit may qualify as a testing facility subject to subsections (f)(1) through (f)(11) of this Section. Where a group of mobile treatment units are located at the same site, the limitations specified in subsections (f)(1) through (f)(11) of this Section apply to the entire group of mobile treatment units collectively as if the group were one mobile treatment unit.

- 1) No less than 45 days before conducting treatability studies, the facility notifies the Agency in writing that it intends to conduct treatability studies under this subsection (f).
- 2) The laboratory or testing facility conducting the treatability study has a USPPA identification number.
- 3) No more than a total of 10,000 kg of "as received" media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, or 250 kg of other "as received" hazardous waste is subject to initiation of treatment in all treatability studies in any single day. "As received" waste refers to the waste as received in the shipment from the generator or sample collector.
- 4) The quantity of "as received" hazardous waste stored at the facility for the purpose of evaluation in treatability studies does not exceed 10,000 kg, the total of which can include 10,000 kg of media contaminated with non-acute hazardous waste, 2500 kg of media contaminated with acute hazardous waste, 1000 kg of non-acute hazardous wastes other than contaminated media, and 1 kg of acute hazardous waste. This quantity limitation does not include treatment materials (including nonhazardous solid waste) added to "as received" hazardous waste.
- 5) No more than 90 days have elapsed since the treatability study for the sample was completed, or no more than one year (two years for treatability studies involving bioremediation) has elapsed since the generator or sample collector shipped the sample to the laboratory or testing facility, whichever date first occurs. Up to 500 kg of treated material from a particular waste stream from treatability studies may be archived for future evaluation up to five years from the date of initial receipt. Quantities of materials archived are counted against the total storage limit for the facility.
- 6) The treatability study does not involve the placement of hazardous waste on the land or open burning of hazardous waste.
- 7) The facility maintains records three years following completion of each study that show compliance with the treatment rate limits and the storage time and quantity limits. The following specific



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information must be included for each treatability study conducted:

- A) The name, address, and USEPA identification number of the generator or sample collector of each waste sample;
  - B) The date the shipment was received;
  - C) The quantity of waste accepted;
  - D) The quantity of "as received" waste in storage each day;
  - E) The date the treatment study was initiated and the amount of "as received" waste introduced to treatment each day;
  - F) The date the treatability study was concluded;
  - G) The date any unused sample or residues generated from the treatability study were returned to the generator or sample collector or, if sent to a designated facility, the name of the facility and the USEPA identification number.
- 8) The facility keeps, on-site, a copy of the treatability study contract and all shipping papers associated with the transport of treatability study samples to and from the facility for a period ending three years from the completion date of each treatability study.
- 9) The facility prepares and submits a report to the Agency by March 15 of each year that estimates the number of studies and the amount of waste expected to be used in treatability studies during the current year, and includes the following information for the previous calendar year:
- A) The name, address, and USEPA identification number of the facility conducting the treatability studies;
  - B) The types (by process) of treatability studies conducted;
  - C) The names and addresses of persons for whom studies have been conducted (including their USEPA identification numbers);
  - D) The total quantity of waste in storage each day;
  - E) The quantity and types of waste subjected to treatability studies;
  - F) When each treatability study was conducted; and
  - G) The final disposition of residues and unused sample from each treatability study.
- 10) The facility determines whether any unused sample or residues generated by the treatability study are hazardous waste under Section 721.103 and, if so, are subject to 35 Ill. Adm. Code 702, 703, and 721 through 728, unless the residues and unused samples are returned to the sample originator under the exemption of subsection (e) of this Section.
- 11) The facility notifies the Agency by letter when the facility is no longer planning to conduct any treatability studies at the site.

(Source: Amended **SEP 28 1998** 22 Ill. Reg. **17531**, effective )

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### Section 721.105 Special Requirements for Hazardous Waste Generated by Small Quantity Generators

- a) A generator is a conditionally exempt small quantity generator in a calendar month if it generates no more than 100 kilograms of hazardous waste in that month. 35 Ill. Adm. Code 700 explains the relation of this to the 100 kg/mo exception of 35 Ill. Adm. Code 809.
- b) Except for those wastes identified in subsections (e), (f), (g) and (j) of this Section, a conditionally exempt small quantity generator's hazardous wastes are not subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of section Section 3010 of Resource Conservation and Recovery Act, provided the generator complies with the requirements of subsections (f), (g) and (j) of this Section.
- c) When making the quantity determinations of this Part and 35 Ill. Adm. Code 722, the generator must include all hazardous waste that it generates, except the following hazardous waste:
  - 1) Hazardous waste that is except from regulation under Section 721.104(c) through (f), 721.106(a)(3), 721.107(a)(1), or 721.108;
  - 2) Hazardous waste that is managed immediately upon generation only in on-site elementary neutralization units, wastewater treatment units, or totally enclosed treatment facilities, as defined in 35 Ill. Adm. Code 720.110;
  - 3) Hazardous waste that is recycled, without prior storage or accumulation, only in an on-site process subject to regulation under Section 721.106(c)(2);
  - 4) Hazardous waste that is used oil managed under the requirements of Section 721.106(a)(4) and 35 Ill. Adm. Code 739;
  - 5) Hazardous waste that is spent lead-acid batteries managed under the requirements of 35 Ill. Adm. Code 726.Subpart G; and
  - 6) Hazardous waste that is universal waste managed under Section 721.109 and 35 Ill. Adm. Code 733.
- d) In determining the quantity of hazardous waste it generates, a generator need not include:
  - 1) Hazardous waste when it is removed from on-site storage; or
  - 2) Hazardous waste produced by on-site treatment (including reclamation) of its hazardous waste so long as the hazardous waste that is treated was counted once; or
  - 3) Spent materials that are generated, reclaimed and subsequently reused on-site, so long as such spent materials have been counted once.
- e) If a generator generates acute hazardous waste in a calendar month in quantities greater than set forth below, all quantities of that acute hazardous waste are subject to full regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the notification requirements of section Section 3010 of the Resource Conservation and Recovery Act:
  - 1) A total of one kilogram of one or more of the acute hazardous

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- wastes listed in Section 721.131, 721.132, or 721.133(e); or
- 2) A total of 100 kilograms of any residue or contaminated soil, waste or other debris resulting from the clean-up of a spill, into or on any land or water, of any one or more of the acute hazardous wastes listed in Section 721.131, 721.132, or 721.133(e).

BOARD NOTE: "Full regulation" means those regulations applicable to generators of greater than 1000 kg of non-acute hazardous waste in a calendar month.

- f) In order for acute hazardous wastes generated by a generator of acute hazardous wastes in quantities equal to or less than those set forth in subsection (e)(1) or (e)(2) of this Section to be excluded from full regulation under this Section, the generator must comply with the following requirements:

- 1) 35 Ill. Adm. Code 722.111.
- 2) The generator may accumulate acute hazardous waste on-site. If the generator accumulates at any time acute hazardous wastes in quantities greater than set forth in subsection (e)(1) or (e)(2) of this Section, all of those accumulated wastes are subject to regulation under 35 Ill. Adm. Code 702, 703, 705 and 722 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(a), for accumulation of wastes on-site, begins when the accumulated wastes exceed the applicable exclusion limit.

- 3) A conditionally exempt small quantity generator may either treat or dispose of its acute hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage, or disposal facility, any of which, if located in the United States, meets any of the following conditions:

- A) The facility is permitted under 35 Ill. Adm. Code 702 and 703;
- B) The facility has interim status under 35 Ill. Adm. Code 702, 703 and 725;
- C) The facility is authorized to manage hazardous waste by a state with a hazardous waste management program approved by USEPA pursuant to 40 CFR 271;
- D) The facility is permitted, licensed, or registered by a state to manage municipal or industrial solid waste and, if managed in a municipal solid waste landfill facility, the landfill is subject to 35 Ill. Adm. Code 810 through 814 or 40 CFR 258;
- E) The facility is permitted, licensed, or registered by a state to manage non-municipal non-hazardous waste and, if managed in a non-municipal non-hazardous waste disposal unit, the unit is subject to the requirements of 40 CFR 257.5 through 257.30;

BOARD NOTE: The Illinois non-hazardous waste landfill

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regulations, 35 Ill. Adm. Code 810 through 814, do not allow the disposal of hazardous waste in a landfill regulated under those rules. The Board intends that subsections (f)(3)(D) and (f)(3)(E) of this Section impose a federal requirement on the hazardous waste generator. The Board specifically does not intend that these subsections authorize any disposal of conditionally-exempt small quantity generator waste in a landfill not specifically permitted to accept the particular hazardous waste.

FB) The facility is one a-facility that:

- i) Beneficially uses or reuses or legitimately recycles or reclaims its waste; or
  - ii) Treats its waste prior to beneficial use or reuse, or legitimate recycling or reclamation; or
- GP) For universal waste managed under 35 Ill. Adm. Code 733 or 40 CFR 273, the facility is a universal waste handler or destination facility subject to the requirements of 35 Ill. Adm. Code 733 or 40 CFR 273.

- g) In order for hazardous waste generated by a conditionally exempt small quantity generator in quantities of less than 100 kilograms of hazardous waste during a calendar month to be excluded from full regulation under this Section, the generator must comply with the following requirements:

- 1) 35 Ill. Adm. Code 722.111;
- 2) The conditionally exempt small quantity generator may accumulate hazardous waste on-site. If it accumulates at any time more than a total of 1000 kilograms of the generator's hazardous waste, all of those accumulated wastes are subject to regulation under the special provisions of 35 Ill. Adm. Code 722 applicable to generators of between 100 kg and 1000 kg of hazardous waste in a calendar month as well as the requirements of 35 Ill. Adm. Code 702, 703, 705 and 723 through 726 and 728, and the applicable notification requirements of Section 3010 of the Resource Conservation and Recovery Act. The time period of 35 Ill. Adm. Code 722.134(d) for accumulation of wastes on-site begins for a small quantity generator when the accumulated wastes exceed 1000 kilograms;
- 3) A conditionally exempt small quantity generator may either treat or dispose of its hazardous waste in an on-site facility or ensure delivery to an off-site treatment, storage, or disposal facility, any of which, if located in the United States, meets any of the following conditions:
  - A) The facility is permitted under 35 Ill. Adm. Code 702 and 703;
  - B) The facility has interim status under 35 Ill. Adm. Code 702, 703 and 725;
  - C) The facility is authorized to manage hazardous waste by a state with a hazardous waste management program approved by

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USEPA under 40 CFR 271 (1986);

- D) The facility is permitted, licensed, or registered by a state to manage municipal or industrial solid waste and, if managed in a municipal solid waste landfill facility, the landfill is subject to 35 Ill. Adm. Code 810 through 814 or 40 CFR 258;

- E) The facility is permitted, licensed, or registered by a state to manage non-municipal non-hazardous waste and, if managed in a non-municipal non-hazardous waste disposal unit, the unit is subject to the requirements of 40 CFR 257.5 through 257.30;

**BOARD NOTE:** The Illinois non-hazardous waste landfill regulations, 35 Ill. Adm. Code 810 through 814, do not allow the disposal of hazardous waste in a landfill regulated under those rules. The Board intends that subsections (g)(3)(D) and (g)(3)(E) of this Section impose a federal requirement on the hazardous waste generator. The Board specifically does not intend that these subsections authorize any disposal of conditionally-exempt small quantity generator waste in a landfill not specifically permitted to accept the particular hazardous waste.

**FB)** The facility is one a-facility that:

- i) Beneficially uses or re-uses, or legitimately recycles or reclaims the small quantity generator's waste; or  
 ii) Treats its waste prior to beneficial use or re-use, or legitimate recycling or reclamation; or  
**GP)** For universal waste managed under 35 Ill. Adm. Code 733 or 40 CFR 273, the facility is a universal waste handler or destination facility subject to the requirements of 35 Ill. Adm. Code 733 or 40 CFR 273.

- h) Hazardous waste subject to the reduced requirements of this Section may be mixed with non-hazardous waste and remain subject to these reduced requirements even though the resultant mixture exceeds the quantity limitations identified in this Section, unless the mixture meets any of the characteristics of hazardous wastes identified in Subpart C.

- i) If a small quantity generator mixes a solid waste with a hazardous waste that exceeds a quantity exclusion level of this Section, the mixture is subject to full regulation.

- j) If a conditionally exempt small quantity generator's hazardous wastes are mixed with used oil, the mixture is subject to 35 Ill. Adm. Code 739, if it is destined to be burned for energy recovery. Any material produced from such a mixture by processing, blending, or other treatment is also so regulated if it is destined to be burned for energy recovery.

(Source: Amended **SEP 28 1998** 22 Ill. Reg. **17531**, effective )

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## Section 721.106 Requirements for Recyclable Materials

- a) Recyclable materials:

- 1) Hazardous wastes that are recycled are subject to the requirements for generators, transporters, and storage facilities of subsections (b) and (c) of this Section, except for the materials listed in subsections (a)(2) and (a)(3) of this Section. Hazardous wastes that are recycled will be known as "recyclable materials".
- 2) The following recyclable materials are not subject to the requirements of this Section but are regulated under 35 Ill. Adm. Code 726.Subparts C through H and all applicable provisions in 35 Ill. Adm. Code 702, 703, and 705.

- A) Recyclable materials used in a manner constituting disposal (35 Ill. Adm. Code 726.Subpart C);
- B) Hazardous wastes burned for energy recovery in boilers and industrial furnaces that are not regulated under 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O (35 Ill. Adm. Code 726.Subpart H);
- C) Recyclable materials from which precious metals are reclaimed (35 Ill. Adm. Code 726.Subpart F);
- D) Spent lead-acid batteries that are being reclaimed (35 Ill. Adm. Code 726.Subpart G).

- 3) The following recyclable materials are not subject to regulation under 35 Ill. Adm. Code 722 through 726, 728, or 702, 703, or 705 and are not subject to the notification requirements of Section 3010 of the Resource Conservation and Recovery Act:

- A) Industrial ethyl alcohol that is reclaimed except that, unless provided otherwise in an international agreement as specified in 35 Ill. Adm. Code 722.158:

- i) A person initiating a shipment for reclamation in a foreign country and any intermediary arranging for the shipment shall comply with the requirements applicable to a primary exporter in 35 Ill. Adm. Code 722.153; 722.156(a)(1) through (a)(4), (a)(6), and (b); and 722.157; shall export such materials only upon consent of the receiving country and in conformance with the USEPA Acknowledgment of Consent, as defined in 35 Ill. Adm. Code 722.Subpart E; and shall provide a copy of the USEPA Acknowledgment of Consent to the shipment to the transporter transporting the shipment for export;

- ii) Transporters transporting a shipment for export shall not accept a shipment if the transporter knows that the shipment does not conform to the USEPA Acknowledgment of Consent, shall ensure that a copy of the USEPA Acknowledgment of Consent accompanies the shipment, and shall ensure that it is delivered to the facility designated by the person initiating the shipment;



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- B) Scrap metal that is not excluded under Section 721.104(a)(13);
- C) Fuels produced from the refining of oil-bearing hazardous wastes along with normal process streams at a petroleum refining facility if such wastes result from normal petroleum refining, production, and transportation practices (this exemption does not apply to fuels produced from oil recovered from oil-bearing hazardous waste where such recovered oil is already excluded under Section 721.104(a)(12));
- D) Petroleum refining wastes.
- i) Hazardous waste fuel produced from oil-bearing hazardous wastes from petroleum refining, production, or transportation practices or produced from oil reclaimed from such hazardous wastes, where such hazardous wastes are reintroduced into a process that does not use distillation or does not produce products from crude oil, so long as the resulting fuel meets the used oil specification under 35 Ill. Adm. Code 726.140(e) and so long as no other hazardous wastes are used to produce the hazardous waste fuel;
  - ii) Hazardous waste fuel produced from oil-bearing hazardous waste from petroleum refining production, and transportation practices, where such hazardous wastes are reintroduced into a refining process after a point at which contaminants are removed, so long as the fuel meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and
  - iii) Oil reclaimed from oil-bearing hazardous wastes from petroleum refining, production, and transportation practices, which reclaimed oil is burned as a fuel without reintroduction to a refining process, so long as the reclaimed oil meets the used oil fuel specification under 35 Ill. Adm. Code 726.140(e); and
- E) Petroleum coke produced from petroleum refinery hazardous wastes containing oil by the same person that generated the wastes unless the resulting coke product exceeds one or more of the characteristics of hazardous waste in 721.Subpart C.
- 4) Used oil that is recycled and is also a hazardous waste solely because it exhibits a hazardous characteristic is not subject to the requirements of 35 Ill. Adm. Code 720 through 728, but it is regulated under 35 Ill. Adm. Code 739. Used oil that is recycled includes any used oil that is reused for any purpose following its original use (including the purpose for which the oil was originally used). Such term includes, but is not limited to, oil that is re-refined, reclaimed, burned for energy recovery, or reprocessed.
- 5) Hazardous waste that is exported to or imported from designated

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- member countries of the Organization for Economic Cooperation and Development (OECD), as defined in Section 722.158(a)(1), for the purpose of recovery is subject to the requirements of 35 Ill. Adm. Code 722.Subpart H if it is subject to either the hazardous waste manifesting requirements of 35 Ill. Adm. Code 722 or the universal waste management standards of 35 Ill. Adm. Code 733.
- b) Generators and transporters of recyclable materials are subject to the applicable requirements of 35 Ill. Adm. Code 722 and 723 and the notification requirements under section Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) of this Section.
  - c) Storage and recycling:
    - 1) Owners or operators of facilities that store recyclable materials before they are recycled are regulated under all applicable provisions of 35 Ill. Adm. Code 702, 703, and 705; 724.Subparts A through L, AA, BB, and CC; and 725.Subparts A through L, AA, BB, and CC; 726; 728; and the notification requirement under Section Section 3010 of the Resource Conservation and Recovery Act, except as provided in subsection (a) of this Section. (The recycling process itself is exempt from regulation, except as provided in subsection (d) of this Section.)
    - 2) Owners or operators of facilities that recycle recyclable materials without storing them before they are recycled are subject to the following requirements, except as provided in subsection (a) of this Section:
      - A) Notification requirements under section Section 3010 of the Resource Conservation and Recovery Act,
      - B) 35 Ill. Adm. Code 725.171 and 725.172 (dealing with the use of the manifest and manifest discrepancies), and
      - C) Subsection (d) of this Section.
    - d) Owners or operators of facilities required to have a RCRA permit pursuant to 35 Ill. Adm. Code 703 with hazardous waste management units that recycle hazardous wastes are subject to 35 Ill. Adm. Code 724.Subparts AA and BB and 725.Subparts AA and BB.
- (Source: Amended at 22 Ill. Reg. 17531, effective SEP 28 1998.)
- SUBPART C: CHARACTERISTICS OF HAZARDOUS WASTE
- Section 721.121 Characteristic of Ignitability
- a) A solid waste exhibits the characteristic of inability if a representative sample of the waste has any of the following properties:
    - 1) It is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume, and has a flash point less

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than 60° C (140° F), as determined by a Pensky-Martens Closed Cup Tester, using the test method specified in ASTM D-93, incorporated by reference in 35 Ill. Adm. Code 720.111, or a Setafish Closed Cup Tester, using the test method specified in ASTM Standard D-3828 B-3228, incorporated by reference in 35 Ill. Adm. Code 720.111, or as determined by an equivalent test method approved by the Board (35 Ill. Adm. Code 720.120).

- 2) It is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard.
- 3) It is an ignitable compressed gas as defined in 49 CFR 173.300, incorporated by reference in 35 Ill. Adm. Code 720.111, and as determined by the test methods described in that regulation or equivalent test methods approved by the Board (35 Ill. Adm. Code 720.120).
- 4) It is an oxidizer as defined in 49 CFR 173.151, incorporated by reference in 35 Ill. Adm. Code 720.111.

- b) A solid waste that exhibits the characteristic of inability has the EPA Hazardous Waste Number of D001.

(Source: Amended <sup>22</sup> Ill. Reg. 17531, effective SEP 28 1998)

## SUBPART D: LISTS OF HAZARDOUS WASTE

## Section 721.132 Hazardous Waste from Specific Sources

The following solid wastes are listed hazardous wastes from specific sources unless they are excluded under 35 Ill. Adm. Code 720.120 and 720.122 and listed in Section 721.132 Appendix I.

EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
Wood Preservation:		
K001	Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.	(T)
Inorganic Pigments:		
K002	Wastewater treatment sludge from the production of chrome yellow and orange pigments.	(T)
K003	Wastewater treatment sludge from the production of molybdate orange pigments.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K004	Wastewater treatment sludge from the production of zinc yellow pigments.	(T)
K005	Wastewater treatment sludge from the production of chrome green pigments.	(T)
K006	Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous and hydrated).	(T)
K007	Wastewater treatment sludge from the production of iron blue pigments.	(T)
K008	Oven residue from the production of chrome oxide green pigments.	(T)
Organic Chemicals:		
K009	Distillation bottoms from the production of acetaldehyde from ethylene.	(T)
K010	Distillation side cuts from the production of acetaldehyde from ethylene.	(T)
K011	Bottom stream from the wastewater stripper in the production of acrylonitrile.	(R,T)
K013	Bottom stream from the acetonitrile column in the production of acrylonitrile.	(T)
K014	Bottoms from the acetonitrile purification column in the production of acrylonitrile.	(T)
K015	Still bottoms from the distillation of benzyl chloride.	(T)
K016	Heavy ends or distillation residues from the production of carbon tetrachloride.	(T)
K017	Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.	(T)
K018	Heavy ends from the fractionation column in ethyl chloride production.	(T)
K019	Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.	(T)
K020	Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.	(T)
K021	Aqueous spent antimony catalyst waste from fluoromethanes production.	(T)
K022	Distillation bottom tars from the production of phenol/acetone from cumene.	(T)
K023	Distillation light ends from the production of phthalic anhydride from naphthalene.	(T)
K024	Distillation bottoms from the production of phthalic anhydride from naphthalene.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K093	Distillation light ends from the production of phthalic anhydride from ortho-xylene.	(T)
K094	Distillation bottoms from the production of phthalic anhydride from ortho-xylene.	(T)
K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	(T)
K026	Stripping still tails from the production of methyl ethyl pyridines.	(T)
K027	Centrifuge and distillation residues from toluene diisocyanate production.	(R,T)
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	(T)
K029	Waste from the product stream stripper in the production of 1,1,1-trichloroethane.	(T)
K095	Distillation bottoms from the production of 1,1,1-trichloroethane.	(T)
K096	Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	(T)
K030	Column bottoms or heavy ends from the combined production of trichloroethylene and perchloroethylene.	(T)
K083	Distillation bottoms from aniline production.	(T)
K103	Process residues from aniline extraction from the production of aniline.	(T)
K104	Combined wastewater streams generated from nitrobenzene/aniline production.	(T)
K085	Distillation or fractionation column bottoms from the production of chlorobenzenes.	(T)
K105	Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.	(T)
K107	Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(C,T)
K108	Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(I,T)
K109	Spent filter cartridges from the product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)
K110	Condensed column overheads from intermediate separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K111	Product wastewaters from the production of dinitrotoluene via nitration of toluene.	(C,T)
K112	Reaction by-product water from the drying column in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K113	Condensed liquid light ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K114	Vicinals from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K115	Heavy ends from the purification of toluenediamine in the production of toluenediamine via hydrogenation of dinitrotoluene.	(T)
K116	Organic condensate from the solvent recovery column in the production of toluene diisocyanate via phosgenation of toluenediamine.	(T)
K117	Wastewater from the reactor vent gas scrubber in the production of ethylene dibromide via bromination of ethene.	(T)
K118	Spent adsorbent solids from purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K136	Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.	(T)
K156	Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K157	Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K158	Bag house dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propynyl n-butylcarbamate.)	(T)
K159	Organics from the treatment of thiocarbamate wastes.	(T)



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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K161	Purification solids (including filtration, evaporation, and centrifugation solids), bag house dust and floor sweepings from the production of dithiocarbamate acids and their salts. (This listing does not include K125 or K126.)	(R,T)
Inorganic Chemicals:		
K071	Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used.	(T)
K073	Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.	(T)
K106	Wastewater treatment sludge from the mercury cell process in chlorine production.	(T)
Pesticides:		
K031	By-product salts generated in the production of MSMA and cacodylic acid.	(T)
K032	Wastewater treatment sludge from the production of chlordane.	(T)
K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	(T)
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	(T)
K097	Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.	(T)
K035	Wastewater treatment sludges generated in the production of creosote.	(T)
K036	Still bottoms from toluene reclamation distillation in the production of disulfoton.	(T)
K037	Wastewater treatment sludges from the production of disulfoton.	(T)
K038	Wastewater from the washing and stripping of phorate production.	(T)
K039	Filter cake from the filtration of diethylphosphorodithioic acid in the production of phorate.	(T)
K040	Wastewater treatment sludge from the production of phorate.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K041	Wastewater treatment sludge from the production of toxaphene.	(T)
K098	Untreated process wastewater from the production of toxaphene.	(T)
K042	Heavy ends or distillation residues from the distillation of tetrachlorobenzene in the production of 2,4,5-T.	(T)
K043	2,6-Dichlorophenol waste from the production of 2,4-D.	(T)
K099	Untreated wastewater from the production of 2,4-D.	(T)
K123	Process wastewater (including supernates, filtrates and washwaters) from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K124	Reactor vent scrubber water from the production of ethylenebisdithiocarbamic acid and its salts.	(C,T)
K125	Filtration, evaporation and centrifugation solids from the production of ethylenebisdithiocarbamic acid and its salts.	(T)
K126	Baghouse dust and floor sweepings in milling and packaging operations from the production or formulation of ethylenebisdithiocarbamic acid and its salts.	(T)
K131	Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.	(C,T)
K132	Spent absorbent and wastewater separator solids from the production of methyl bromide.	(T)
Explosives:		
K044	Wastewater treatment sludges from the manufacturing and processing of explosives.	(R)
K045	Spent carbon from the treatment of wastewater containing explosives.	(R)
K046	Wastewater treatment sludges from the manufacturing, formulation and loading of lead-based initiating compounds.	(T)
K047	Pink/red water from TNT operations.	(R)
Petroleum Refining:		
K048	Dissolved air flotation (DAF) float from the petroleum refining industry.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K049	Slop oil emulsion solids from the petroleum refining industry.	(T)
K050	Heat exchanger bundle cleaning sludge from the petroleum refining industry.	(T)
K051	API separator sludge from the petroleum refining industry.	(T)
K052	Tank bottoms (lead) from the petroleum refining industry.	(T)

## Iron and Steel:

K061	Emission control dust/sludge from the primary production of steel in electric furnaces.	(T)
K062	Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332) (as defined in 35 Ill. Adm. Code 720.110).	(C,T)

## Primary Copper:

K064	Acid plant blowdown slurry or sludge resulting from the thickening of blowdown slurry from primary copper production.	(T)
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## Primary Lead:

K065	Surface impoundments solids contained in and dredged from surface impoundments at primary lead smelting facilities.	(T)
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## Primary Zinc:

K066	Sludge from treatment of process wastewater or acid plant blowdown from primary zinc production.	(T)
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BOARD NOTE: This waste listing is the subject of a judicial remand in American Mining Congress v. EPA, 907 F.2d 1179 (D.D.C. 1990). The Board intends that this listing not become enforceable in Illinois until the first date upon which the Board RCRA program becomes "not equivalent to the Federal program", within the meaning of section 3006(b) of the RCRA Act, 42 U.S.C. 6926(b), the Board RCRA rules

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
	become "less stringent" than the USEPA rules, as this phrase is used in section 3009, 42 U.S.C. 6929, or the Board RCRA rules are not "identical in substance" with the federal rules as that term is intended by 415 ILCS 5/7.2 and 22.4 as a result of some action by USEPA with regard to this listing in response to the American Mining Congress remand.	

## Primary Aluminum:

K088	Spent potliners from primary aluminum reduction.	(T)
Ferroalloys:		
K090	Emission control dust or sludge from ferrochromiumsilicon production.	(T)
K091	Emission control dust or sludge from ferrochromium production.	(T)

## Secondary Lead:

K069	Emission control dust/sludge from secondary lead smelting.	(T)
K100	BOARD NOTE: This listing is administratively stayed for sludge generated from secondary acid scrubber systems. The stay will remain in effect until this note is removed. Waste leaching solution from acid leaching of emission control dust/sludge from secondary lead smelting.	(T)

## Veterinary Pharmaceuticals:

K084	Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	(T)
K101	Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	(T)
K102	Residue from use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
Ink Formulation:		
K086	Solvent washes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, dryers, soaps and stabilizers containing chromium and lead.	(T)
Coking:		
K060	Ammonia still lime sludge from coking operations.	(T)
K087	Decanter tank tar sludge from coking operations.	(T)
K141	Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke from coal or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludges from coking operations).	(T)
K142	Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.	(T)
K143	Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.	(T)
K144	Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.	(T)
K145	Residues from naphthalene collection and recovery operations from the recovery of coke by-products produced from coal.	(T)
K147	Tar storage tank residues from coal tar refining.	(T)
K148	Residues from coal tar distillation, including but not limited to, still bottoms.	(T)
K149	Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillation of benzyl chloride.)	(T)

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EPA Hazardous Waste No.	Industry and Hazardous Waste	Hazard Code
K150	Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)
K151	Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.	(T)

(Source: Amendment 22 Ill. Reg. **17531**, effective **SEP 28 1998**)

### Section 721.133 Discarded Commercial Chemical Products, Off-Specification Species, Containers Residues, and Spill Residues Thereof

The following materials or items are hazardous wastes if and when they are discarded or intended to be discarded as described in Section 721.102(a)(2)(A), when they are mixed with waste oil or used oil or other material and applied to the land for dust suppression or road treatment, when they are otherwise applied to the land in lieu of their original intended use or when they are contained in products that are applied to land in lieu of their original intended use, or when, in lieu of their original intended use, they are produced for use as (or as a component of) a fuel, distributed for use as a fuel, or burned as a fuel.

- Any commercial chemical product, or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) of this Section.
- Any off-specification commercial chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) or (f) of this Section.
- Any residue remaining in a container or inner liner removed from a container that has held any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) of this Section, unless the container is empty as defined in Section 721.107(b)(3).

BOARD NOTE: Unless the residue is being beneficially used or reused, or legitimately recycled or reclaimed, or being accumulated, stored, transported, or treated prior to such use, reuse, recycling, or reclamation, the Board considers the residue to be intended for



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discard, and thus a hazardous waste. An example of a legitimate reuse of the residue would be where the residue remains in the container and the container is used to hold the same commercial chemical product or manufacturing chemical intermediate it previously held. An example of the discard of the residue would be where the drum is sent to a drum reconditioner that reconditions the drum but discards the residue.

- d) Any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water of any commercial chemical product or manufacturing chemical intermediate having the generic name listed in subsection (e) or (f) of this Section, or any residue or contaminated soil, water, or other debris resulting from the cleanup of a spill into or on any land or water, of any off-specification chemical product or manufacturing chemical intermediate which, if it met specifications, would have the generic name listed in subsection (e) or (f) of this Section.

BOARD NOTE: The phrase "commercial chemical product or manufacturing chemical intermediate having the generic name listed in..." refers to a chemical substance that is manufactured or formulated for commercial or manufacturing use which consists of the commercially pure grade of the chemical, any technical grades of the chemical that are produced or marketed, and all formulations in which the chemical is the sole active ingredient. It does not refer to a material, such as a manufacturing process waste, that contains any of the substances listed in subsection (e) or (f) of this Section. Where a manufacturing process waste is deemed to be a hazardous waste because it contains a substance listed in subsection (e) or (f) of this Section, such waste will be listed in either Sections 721.131 or 721.132 or will be identified as a hazardous waste by the characteristics set forth in Subpart C.

- e) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products or manufacturing chemical intermediates referred to in subsections (a) through (d) of this Section, are identified as acute hazardous waste (H) and are subject to the small quantity exclusion defined in Section 721.105(e). These wastes and their corresponding USEPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), and R (Reactivity). The absence of a letter indicates that the compound only is listed for acute toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
P023	107-20-0	Acetaldehyde, chloro-
P002	591-08-2	Acetamide, N-(aminothioxomethyl)
P057	640-19-7	Acetamide, 2-fluoro-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P058	62-74-8	Acetic acid, fluoro-, sodium salt
P002	591-08-2	1-Acetyl-2-thiourea
P003	107-02-8	Acrolein
P070	116-06-3	Aldicarb
P203	1646-88-4	Aldicarb sulfone
P004	309-00-2	Aldrin
P005	107-18-6	Allyl alcohol
P006	20859-73-8	Aluminum phosphide (R,T)
P007	2763-96-4	5-(Aminomethyl)-3-isoxazolol
P008	504-24-5	4-Aminopyridine
P009	131-74-8	Ammonium picrate (R)
P119	7803-55-6	Ammonium vanadate
P099	506-61-6	Argentate(1-), bis(cyano-C)-, potassium
P010	7778-39-4	Arsenic acid H[3]AsO[4]
P012	1327-53-3	Arsenic oxide As[2]O[3]
P011	1303-28-2	Arsenic oxide As[2]O[5]
P011	1303-28-2	Arsenic pentoxide
P012	1327-53-3	Arsenic trioxide
P038	692-42-2	Arsine, diethyl-
P036	696-28-6	Arsonous dichloride, phenyl-
P054	151-56-4	Aziridine
P067	75-55-8	Aziridine, 2-methyl
P013	542-62-1	Barium cyanide
P024	106-47-8	Benzenamine, 4-chloro-
P077	100-01-6	Benzenamine, 4-nitro-
P028	100-44-7	Benzene, (chloromethyl)-
P042	51-43-4	1,2-Benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (R)-
P046	122-09-8	Benzenethanamine, alpha,alpha-dimethyl-
P014	108-98-5	Benzenethiol
P127	1563-66-2	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate
P188	57-64-7	Benzoic acid, 2-hydroxy-, compound with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo[2,3-b]indol-5-yl methylcarbamate ester (1:1)
P001	81-81-2*	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations greater than 0.3 percent
P028	100-44-7	Benzyl chloride
P015	7440-41-7	Beryllium powder

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P017	598-31-2	Bromoacetone
P018	357-57-3	Brucine
P045	39196-18-6	2-Butanone, 3,3-dimethyl-1-(methylthio)-, O- [methylamino]carbonyl oxime
P021	592-01-8	Calcium cyanide
P021	592-01-8	Calcium cyanide Ca(CN)[2]
P189	55285-14-8	Carbamic acid, [(dibutylamino)-thio]methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester
P191	644-64-4	Carbamic acid, dimethyl-, 1-[(dimethyl-amino)carbonyl]-5-methyl-1H-pyrazol-3-yl ester
P192	119-38-0	Carbamic acid, dimethyl-, 3-methyl-1-(1-methylethyl)-1H-pyrazol-5-yl ester
P190	1129-41-5	Carbamic acid, methyl-, 3-methylphenyl ester
P127	1563-66-2	Carbofuran
P022	75-15-0	Carbon disulfide
P095	75-44-5	Carbonic dichloride
P189	55285-14-8	Carbosulfan
P023	107-20-0	Chloroacetaldehyde
P024	106-47-8	p-Chloroaniline
P026	5344-82-1	1-(O-Chlorophenyl)thiourea
P027	542-76-7	3-Chloropropionitrile
P029	544-92-3	Copper cyanide CuCN
P029	544-92-3	m-Cumenyl methylcarbamate
P020	64-00-6	Cyanides (soluble cyanide salts), not otherwise specified
P031	460-19-5	Cyanogen
P033	506-77-4	Cyanogen chloride
P033	506-77-4	Cyanogen chloride CNCl
P034	131-89-5	2-Cyclohexyl-4,6-dinitrophenol
P016	542-88-1	Dichloromethyl ether
P036	696-28-6	Dichlorophenylarsine
P037	60-57-1	Diethrin
P038	692-42-2	Diethylarsine
P041	311-45-5	Diethyl-p-nitrophenyl phosphate
P040	297-97-2	O,O-Diethyl O-pyrazinyl phosphorothioate
P043	55-91-4	Diisopropylfluorophosphate (DFP)
P191	644-64-4	Dimetilan

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P004	309-00-2	1,4,5,8-Di-methanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha, 4alpha, 4beta, 5alpha, 8alpha, 8beta)-
P060	465-73-6	1,4,5,8-Di-methanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-, (1alpha, 4alpha, 4beta, 5beta, 8beta)-
P037	60-57-1	2,7:3,6-Dimethanonaphth[2,3-b]oxirane, 3,4,5,6,9- hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha, 2beta, 2aalpha, 3beta, 6beta, 6beta, 6aalpha, 7beta, 7aalpha)-
P051	72-20-8*	2,7:3,6-Dimethanonaphth[2,3-b]oxirene, 3,4,5,6,9- hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1aalpha, 2beta, 2aalpha, 3beta, 6beta, 6beta, 6aalpha, 7beta, 7aalpha)-, and metabolites
P044	60-51-5	Dimethoate
P046	122-09-8	alpha, alpha-Dimethylphenethylamine
P047	534-52-1*	4,6-Dinitro-o-cresol and salts
P048	51-28-5	2,4-Dinitrophenol
P020	88-85-7	Dinoseb
P085	152-16-9	Diphosphoramide, octamethyl-
P111	107-49-3	Diphosphoric acid, tetraethyl ester
P039	298-04-4	Disulfoton
P049	541-53-7	Dithioburet
P185	26419-73-8	1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O-[(methylamino)-carbonyl]-oxime
P050	115-29-7	Endosulfan
P088	145-73-3	Endothall
P051	72-20-8	Endrin
P051	72-20-8	Endrin, and metabolites
P042	51-43-4	Epinephrine
P031	460-19-5	Ethanedinitrile
P194	23135-22-0	Ethanimidothioc 2-(dimethylamino)- N-[(methylamino)carbonyloxy]-2-oxo-, methyl ester
P066	16752-77-5	Ethanimidothioic acid, N-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P101	107-12-0	[[ (methylamino) carbonyl] oxy]-, methyl ester
P054	151-56-4	Ethyl cyanide
P097	52-85-7	Ethylenimine
P056	7782-41-4	Famphur
P057	640-19-7	Fluorine
P058	62-74-8	Fluoroacetamide
P198	23422-53-9	Fluoroacetic acid, sodium salt
P197	17702-57-7	Formetanate hydrochloride
P065	628-86-4	Formetanate
P059	76-44-8	Fulminic acid, mercury (2+) salt (R,T)
P062	757-58-4	Heptachlor
P116	79-19-6	Hexaethyl tetraphosphate
P068	60-34-4	Hydrazinecarbothioamide
P063	74-90-8	Hydrazine, methyl-
P063	74-90-8	Hydrocyanic acid
P096	7803-51-2	Hydrogen cyanide
P060	465-73-6	Hydrogen phosphide
P192	119-38-0	Isodrin
P202	64-00-6	Isolan
P007	2763-96-4	3-Isopropylphenyl-N-methylcarbamate
P196	15339-36-3	3(2H)-Isoxazalone, 5-(aminomethyl)-
P196	15339-36-3	Manganese, bis(dimethylcarbamodithioato-S,S')
P196	15339-36-3	Manganese dimethyldithiocarbamate
P092	62-38-4	Mercury, (acetato-0)phenyl-
P065	628-86-4	Mercury fulminate (R,T)
P082	62-75-9	Methanamine, N-methyl-N-nitroso-
P064	624-83-9	Methane, isocyanato-
P016	542-88-1	Methane, oxybis(chloro-
P112	509-14-8	Methane, tetranitro- (R)
P118	75-70-7	Methanethiol, trichloro-
P198	23422-53-9	Methanimidamide, N,N-dimethyl-N'-[3-[[ (methylamino) carbonyl] oxy]phenyl]-, monohydrochloride
P197	17702-57-7	Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[[ (methylamino) carbonyl] oxy]phenyl]-
P199	2032-65-7	Methiocarb
P050	115-29-7	6,9-Methano-2,4,3-benzodioxathiepen, 6,7,8,9,10,10-
		hexachloro-1,5,5a,6,9,9a-hexahydro-, 3-oxide

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P059	76-44-8	4,7-Methano-1H-indene, heptachloro-3a,4,7,7a-tetrahydro-
P066	16752-77-5	Methomyl
P068	60-34-4	Methyl hydrazine
P064	624-83-9	Methyl isocyanate
P069	75-86-5	2-Methylacetonitrile
P071	298-00-0	Methyl parathion
P190	1129-41-5	Metolcarb
P129	315-8-4	Mexacarbate
P072	86-88-4	alpha-Naphthylthiourea
P073	13463-39-3	Nickel carbonyl
P073	13463-39-3	Nickel carbonyl NiCO[4], (T-4)-
P074	557-19-7	Nickel cyanide
P074	557-19-7	Nickel cyanide Ni(CN)[2]
P075	54-11-5*	Nicotine, and salts
P076	10102-43-9	Nitric oxide
P077	100-01-6	p-Nitroaniline
P078	10102-44-0	Nitrogen dioxide
P076	10102-43-9	Nitrogen oxide NO
P078	10102-44-0	Nitrogen oxide NO[2]
P081	55-63-0	Nitroglycerine (R)
P082	62-75-9	N-Nitrosodimethylamine
P084	4549-40-0	N-Nitrosomethylvinylamine
P085	152-16-9	Octamethylpyrophosphoramide
P087	20816-12-0	Osmium oxide OsO[4], (T-4)-
P087	20816-12-0	Osmium tetroxide
P088	145-73-3	7-Oxabicyclo[2.2.1]heptane-2,3-dicaboxylic acid
P194	23135-22-0	Oxamyl
P089	56-38-2	Parathion
P034	131-89-5	Phenol, 2-cyclohexyl-4,6-dinitro-
P128	315-18-4	Phenol, 4-(dimethylamino)-3,5-dimethyl-, methylcarbamate (ester)
P199	2032-65-7	Phenol, (3,5-dimethyl-4-(methylthio)-, methylcarbamate
P048	51-28-5	Phenol, 2,4-dinitro-
P047	534-52-1*	Phenol, 2-methyl-4,6-dinitro-, and salts
P202	64-00-6	Phenol, 3-(1-methylethyl)-, methyl carbamate
P201	2631-37-0	Phenol, 3-methyl-5-(1-methylethyl)-, methyl carbamate



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Hazardous Waste No.	Chemical Abstracts No.	Substance
P020	88-85-7	Phenol, 2-(1-methylpropyl)-4,6-dinitro-
P009	131-74-8	Phenol, 2,4,6-trinitro-, ammonium salt (R)
P092	62-38-4	Phenylmercury acetate
P093	103-85-5	Phenylthiourea
P094	298-02-2	Phorate
P095	75-44-5	Phosgene
P096	7803-51-2	Phosphine
P041	311-45-5	Phosphoric acid, diethyl 4-nitrophenyl ester
P039	298-04-4	Phosphorodithioic acid, O,O-diethyl S-[2-(ethylthio)ethyl] ester
P094	298-02-2	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester
P044	60-51-5	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester
P043	55-91-4	Phosphorofluoridic acid, bis(1-methylethyl) ester
P089	56-38-2	Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester
P040	297-97-2	Phosphorothioic acid, O,O-diethyl O-pyrazinyl ester
P097	52-85-7	Phosphorothioic acid, O-[(4-[(dimethylamino)sulfonyl]phenyl)O,O-dimethyl ester
P071	298-00-0	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester
P204	57-47-6	Physostigmine
P188	57-64-7	Physostigmine salicylate
P110	78-00-2	Plumbane, tetraethyl-
P098	151-50-8	Potassium cyanide
P098	151-50-8	Potassium cyanide KCN
P099	506-61-6	Potassium silver cyanide
P201	2631-37-0	Promecarb
P203	1646-88-4	Propanal, 2-methyl-2-(methyl-sulfonyl)-, O-[(methylamino)carbonyl] oxime
P070	116-06-3	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino) carbonyl] oxime
P101	107-12-0	Propanenitrile
P027	542-76-7	Propanenitrile, 3-chloro-
P069	75-86-5	Propanenitrile, 2-hydroxy-2-methyl-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P081	55-63-0	1,2,3-Propanetriol, trinitrate- (R)
P017	598-31-2	2-Propanone, 1-bromo-
P102	107-19-7	Propargyl alcohol
P003	107-02-8	2-Propenal
P005	107-18-6	2-Propen-1-ol
P067	75-55-8	1,2-Propylenimine
P102	107-19-7	2-Propyn-1-ol
P008	504-24-5	4-Pyridinamine
P075	54-11-5*	Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (S)- and salts
P204	57-47-6	Pyrolo[2,3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methyl-carbamate (ester), (3aS-cis)-Selenious acid, dithallium (1+) salt
P114	12039-52-0	Selenourea
P103	630-10-4	Silver cyanide
P104	506-64-9	Silver cyanide AgCN
P104	506-64-9	Silver cyanide AgCN
P105	26628-22-8	Sodium azide
P106	143-33-9	Sodium cyanide
P106	143-33-9	Sodium cyanide NaCN
P108	57-24-9*	Strychnidin-10-one, and salts
P018	357-57-3	Strychnidin-10-one, 2,3-dimethoxy-
P108	57-24-9*	Strychnine and salts
P115	7446-18-6	Sulfuric acid, dithallium (1+) salt
P109	3689-24-5	Tetraethyldithiopyrophosphate
P110	78-00-2	Tetraethyl lead
P111	107-49-3	Tetraethylpyrophosphate
P112	509-14-8	Tetranitromethane (R)
P062	757-58-4	Tetraphosphoric acid, hexaethyl ester
P113	1314-32-5	Thallic oxide
P113	1314-32-5	Thallium oxide Tl <sub>2</sub> O[3]
P114	12039-52-0	Thallium (I) selenite
P115	7446-18-6	Thallium (I) sulfate
P109	3689-24-5	Thiodiphosphoric acid, tetraethyl ester
P045	39196-18-4	Thiofanox
P049	541-53-7	Thioimidodicarbonic diamide [(H[2]N)C(S)] [2]NH
P014	108-98-5	Thiophenol
P116	79-19-6	Thiosemicarbazide
P026	5344-82-1	Thiourea, (2-chlorophenyl)-
P072	86-88-4	Thiourea, 1-naphthalenyl-
P093	103-85-5	Thiourea, phenyl-
P123	8001-35-2	Toxaphene

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Hazardous Waste No.	Chemical Abstracts No.	Substance
P185	26419-73-8	Tirpate
P118	75-70-7	Trichloromethanethiol
P119	7803-55-6	Vanadic acid, ammonium salt
P120	1314-62-1	Vanadium oxide V[2]O[5]
P120	1314-62-1	Vanadium pentoxide
P084	4549-40-0	Vinylamine, N-methyl-N-nitroso-
P001	81-81-2*	Warfarin, and salts, when present at concentrations greater than 0.3percent %
P121	557-21-1	Zinc cyanide
P121	557-21-1	Zinc cyanide Zn(CN)[2]
P205	137-30-4	Zinc, bis(dimethylcarbamodithioato-S,S')-
P122	1314-84-7	Zinc phosphide Zn[3P[2], when present at concentrations greater than 10percent % (R,T)
P205	137-30-4	Ziram

Board Note: An asterisk (\*) following the CAS number indicates that the CAS number is given for the parent compound only.

f) The commercial chemical products, manufacturing chemical intermediates, or off-specification commercial chemical products referred to in subsections (a) through (d) of this Section, are identified as toxic wastes (T) unless otherwise designated and are subject to the small quantity exclusion defined in Section 721.105(a) and (g). These wastes and their corresponding USEPA Hazardous Waste Numbers are:

BOARD NOTE: For the convenience of the regulated community, the primary hazardous properties of these materials have been indicated by the letters T (Toxicity), R (Reactivity), I (Ignitability), and C (Corrosivity). The absence of a letter indicates that the compound is only listed for toxicity.

Hazardous Waste No.	Chemical Abstracts No.	Substance
U394	30558-43-1	A2213
U001	75-07-0	Acetaldehyde (I)
U034	75-87-6	Acetaldehyde, trichloro-
U187	62-44-2	Acetamide, N-(4-ethoxyphenyl)-
U005	53-96-3	Acetamide, N-9H-fluorene-2-yl-
U240	P 94-75-7	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters
U112	141-78-6	Acetic acid, ethyl ester (I)

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U144	301-04-2	Acetic acid, lead (2+) salt
U214	563-68-8	Acetic acid, thallium (1+) salt
See F027	93-76-5	Acetic acid, (2,4,5-trichlorophenoxy)-
9999U002	67-64-1	Acetone (I)
9999U003	75-05-8	Acetonitrile (I,T)
U004	98-86-2	Acetophenone
U005	53-96-3	2-Acethylaminofluorene
U006	75-36-5	Acetyl chloride (C,R,T)
U007	79-06-1	Acrylamide
U008	79-10-7	Acrylic acid (I)
U009	107-13-1	Acrylonitrile
U011	61-82-5	Amirole
U012	62-53-3	Aniline (I,T)
U136	75-60-5	Arsinic acid, dimethyl-
U014	492-80-8	Auramine
U015	115-02-6	Azaserine
U010	50-07-7	Azirino[2',3':3,4]pyrrolo[1,2-a]indole-4,7-dione,
		6-amino-8-[(aminocarbonyl)oxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-, [1a-S-(1aalpha,8beta,
		8alpha, 8balpha)]-
U280	101-27-9	Barban
U278	22781-23-3	Bendiocarb
U364	22961-82-6	Bendiocarb phenol
U271	17804-35-2	Benomyl
U157	56-49-5	Benz[ <i>j</i> ]aceanthrylene, 1,2-dihydro-3-methyl-
U016	225-51-4	Benz(c)acridine
U017	98-87-3	Benzal chloride
U192	23950-58-5	Benamide,
U018	56-55-3	3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-Benz[ <i>a</i> ]anthracene
U094	57-97-6	Benz[ <i>a</i> ]anthracene, 7,12-dimethyl-
U012	62-53-3	Benzenamine (I,T)
U014	492-80-8	Benzenamine, 4,4'-carbonimidoylbis [N,N-dimethyl-
U049	3165-93-3	Benzenamine, 4-chloro-2-methyl-, hydrochloride
U093	60-11-7	N,N-dimethyl-4-(phenylazo)-

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Hazardous Waste No.	Chemical Abstracts No.	Substance
U328	95-53-4	Benzenamine, 2-methyl-
U353	106-49-0	Benzenamine, 4-methyl-
U158	101-14-4	Benzenamine, 4,4'-methylenebis(2-chloro-
U222	636-21-5	Benzenamine, 2-methyl-, hydrochloride
U181	99-55-8	Benzenamine, 2-methyl-5-nitro-
U019	71-43-2	Benzene (I,T)
U038	510-15-6	Benzeneacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester
U030	101-55-3	Benzene, 1-bromo-4-phenoxy-
U035	305-03-3	Benzenobutanoic acid, 4-[bis(2-chloroethyl)amino]-
U037	108-90-7	Benzene, chloro-
U221	25376-45-8	Benzenediamine, ar-methyl-
U028	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester
U069	84-74-2	1,2-Benzenedicarboxylic acid, dibutyl ester
U088	84-66-2	1,2-Benzenedicarboxylic acid, diethyl ester
U102	131-11-3	1,2-Benzenedicarboxylic acid, dimethyl ester
U107	117-84-0	1,2-Benzenedicarboxylic acid, diocetyl ester
U070	95-50-1	Benzene, 1,2-dichloro-
U071	541-73-1	Benzene, 1,3-dichloro-
U072	106-46-7	Benzene, 1,4-dichloro-
U060	72-54-8	Benzene, 1,1'-(2,2-dichloroethylidene) bis(4-chloro-
U017	98-87-3	Benzene, (dichloromethyl)-
U223	26471-62-5	Benzene, 1,3-diisocyanatomethyl- (R,T)
U239	1330-20-7	Benzene, dimethyl- (I,T)
U201	108-46-3	1,3-Benzenediol
U127	118-74-1	Benzene, hexachloro-
U056	110-82-7	Benzene, hexahydro- (I)
U220	108-88-3	Benzene, methyl-
U105	121-14-2	Benzene, 1-methyl-2,4-dinitro-
U106	606-20-2	Benzene, 2-methyl-1,3-dinitro-
U055	98-82-8	Benzene, (1-methylethyl)- (I)
U169	98-95-3	Benzene, nitro-
U183	608-93-5	Benzene, pentachloro-
U185	82-68-8	Benzene, pentachloronitro-
U020	98-09-9	Benzenesulfonic acid chloride (C,R)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U020	98-09-9	Benzenesulfonyl chloride (C,R)
U207	95-94-3	Benzene, 1,2,4,5-tetrachloro-
U061	50-29-3	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis(4-chloro-
U247	72-43-5	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis(4-methoxy-
U023	98-07-7	Benzene, (trichloromethyl)-
U234	99-35-4	Benzene, 1,3,5-trinitro-
U021	92-87-5	Benzenidene
U202	P 81-07-2	1,2-Benzisothiazol-3(2H)-one, 1,1-dioxide, and salts
U203	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-
U141	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-
U090	94-58-6	1,3-Benzodioxole, 5-propyl-
U278	22781-23-3	1,3-Benzodioxol-4-ol, 2,2-dimethyl-, methyl carbamate
U364	22961-82-6	1,3-Benzodioxol-4-ol, 2,2-dimethyl-
U367	1563-38-8	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-
U064	189-55-9	Benzo[1,2,3-c]pentalene
U248	P 81-81-2	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, and salts, when present at concentrations of 0.3percent% or less
U022	50-32-8	Benzo[a]pyrene
U197	106-51-4	p-Benzoquinone
U023	98-07-7	Benzo[1,2,3-c]pentalene (C,R,T)
U085	1464-53-5	2,2'-Bioxirane
U021	92-87-5	[1,1'-Biphenyl]-4,4'-diamine
U073	91-94-1	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-
U091	119-90-4	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethoxy-
U095	119-93-7	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-
U225	75-25-2	Bromoform
U030	101-55-3	4-Bromophenyl phenyl ether
U128	87-68-3	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-
U172	924-16-3	1-Butanamine, N-butyl-N-nitroso-
U031	71-36-3	1-Butanol (I)
U159	78-93-3	2-Butanone (I,T)



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U160	1338-23-4	2-Butanone, peroxide (R,T)
U053	4170-30-3	2-Butenal
U074	764-41-0	2-Butene, 1,4-dichloro- (I,T)
U143	303-34-4	2-Butenoic acid, 2-methyl-, 7-[[2,3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1alpha(Z), 7(2S*,3R*), 7aalpha]]-n-Butyl alcohol (I)
U031	71-36-3	7(2S*,3R*), 7aalpha]]-n-Butyl alcohol (I)
U136	75-60-5	Cacodylic acid
U032	13765-19-0	Calcium chromate
U372	10605-21-7	Carbamic acid, 1H-benzimidazol-2-yl, methyl ester
U271	17804-35-2	Carbamic acid, [1-[(butylamino)-carbonyl]-1H-benzimidazol-2-yl]-, methyl ester
U280	101-27-9	Carbamic acid, [1-[(butylamino)-carbonyl]-1H-benzimidazol-2-yl]-, methyl ester
U238	51-79-6	Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester
U178	615-53-2	Carbamic acid, ethyl ester
U373	122-42-9	Carbamic acid, methyl nitroso-, ethyl ester
U409	23564-05-8	Carbamic acid, phenyl-, 1-methylethyl ester
U097	79-44-7	Carbamic acid, [1,2-phenylenebis (iminocarbonothioyl)]bis-, dimethyl ester
U114	P 111-54-6	Carbamic chloride, dimethyl-ethanedithioic acid, 1,2-ethanedithioic acid, salts and esters
U062	2303-16-4	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3-dichloro-2-propenyl) ester
U389	2303-17-5	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3-trichloro-2-propenyl) ester
U387	52888-80-9	Carbamothioic acid, dipropyl-, S-(phenylmethyl) ester
U279	63-25-2	Carbaryl
U372	10605-21-7	Carbendazim
U367	1563-38-8	Carbofuran phenol
U215	6533-73-9	Carbonic acid, dithallium (1+) salt
U033	353-50-4	Carbonic difluoride

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U156	79-22-1	Carbonochloridic acid, methyl ester (I,T)
U033	353-50-4	Carbon oxyfluoride (R,T)
U211	56-23-5	Carbon tetrachloride
U034	75-87-6	Chloral
U035	305-03-3	Chlorambucil
U036	57-74-9	Chlordane, alpha and gamma isomers
U026	494-03-1	Chlornaphazin
U037	108-90-7	Chlorobenzene
U038	510-15-6	Chlorobenzilate
U039	59-50-7	p-Chloro-m-cresol
U042	110-75-8	2-Chloroethyl vinyl ether
U044	67-66-3	Chloroform
U046	107-30-2	Chloromethyl methyl ether
U047	91-58-7	beta-Chloronaphthalene
U048	95-57-8	o-Chlorophenol
U049	3165-93-3	4-Chloro-o-toluidine, hydrochloride
U032	13765-19-0	Chromic acid H[2]CrO[4], calcium salt
U050	218-01-9	Chrysene
U051		Creosote
U052	1319-77-3	Cresol (Cresylic acid)
U053	4170-30-3	Crotonaldehyde
U055	98-82-8	Cumene (I)
U246	506-68-3	Cyanogen bromide CNBr
U197	106-51-4	2,5-Cyclohexadiene-1,4-dione
U056	110-82-7	Cyclohexane (I)
U129	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha,2alpha,3beta,4alpha,5alpha,6beta)-
U057	108-94-1	Cyclohexanone (I)
U130	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5-hexachloro-
U058	50-18-0	Cyclophosphamide
U240	P 94-75-7	2,4-D, salts and esters
U059	20830-81-3	Daunomycin
U060	72-54-8	DDD
U061	50-29-3	DDT
U062	2303-16-4	Diallate
U063	53-70-3	Dibenz[a,h]anthracene
U064	189-55-9	Dibenzof[a,i]pyrene
U066	96-12-8	1,2-Dibromo-3-chloropropane
U214	84-74-2	Diethyl phthalate
U070	95-50-1	o-Dichlorobenzene
U071	541-73-1	m-Dichlorobenzene
U072	106-46-7	p-Dichlorobenzene

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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U073	91-94-1	3,3'-Dichlorobenzidine
U074	764-41-0	1,4-Dichloro-2-butene (I,T)
U075	75-71-8	Dichlorodifluoromethane
U078	75-35-4	1,1-Dichloroethylene
U079	156-60-5	1,2-Dichloroethylene
U025	111-44-4	Dichloroethyl ether
U027	108-60-1	Dichloroisopropyl ether
U024	111-91-1	Dichloromethoxy ethane
U081	120-83-2	2,4-Dichlorophenol
U082	87-65-0	2,6-Dichlorophenol
U084	542-75-6	1,3-Dichloropropene
U085	1464-53-5	1,2:3,4-Diepoxybutane (I,T)
U395	5952-26-1	Diethylene glycol, dicarbamate
U108	123-91-1	1,4-Diethyleneoxide
U028	117-81-7	Diethylhexyl phthalate
U086	1615-80-1	N,N'-Diethylhydrazine
U087	3288-58-2	O,O-Diethyl S-methyl dithiophosphate
U088	84-66-2	Diethyl phthalate
U089	56-53-1	Diethylstilbestrol
U090	94-58-6	Dihydrostrofol
U091	119-90-4	3,3'-Dimethoxybenzidine
U092	124-40-3	Dimethylamine (I)
U093	60-11-7	p-Dimethylaminoazobenzene
U094	59-97-6	7,12-Dimethylbenz[a]anthracene
U095	119-93-7	3,3'-Dimethylbenzidine
U096	80-15-9	alpha, alpha-Dimethylbenzylhydroperoxide (R)
U097	79-44-7	Dimethylcarbamoyl chloride
U098	57-14-7	1,1-Dimethylhydrazine
U099	540-73-8	1,2-Dimethylhydrazine
U101	105-67-9	2,4-Dimethylphenol
U102	131-11-3	Dimethyl phthalate
U103	77-78-1	Dimethyl sulfate
U105	121-14-2	2,4-Dinitrotoluene
U106	606-20-2	2,6-Dinitrotoluene
U107	117-84-0	Di-n-octyl phthalate
U108	123-91-1	1,4-Dioxane
U109	122-66-7	1,2-Diphenylhydrazine
U110	142-84-7	Dipropylamine (I)
U111	621-64-7	Di-n-propyl nitrosamine
U041	106-89-8	Epichlorohydrin
U001	75-07-0	Ethanal (I)
U404	121-44-8	Ethanamine, N,N-diethyl-

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U174	55-18-5	Ethanamine, N-ethyl-N-nitroso-
U155	91-80-5	1,2-Ethanediimine, N,N-dimethyl-N'-2-pyridinyl -N'-(2-thienylmethyl)-
U067	106-93-4	Ethane, 1,2-dibromo-
U076	75-34-3	Ethane, 1,1-dichloro-
U077	107-06-2	Ethane, 1,2-dichloro-
U131	67-72-1	Ethane, hexachloro-
U024	111-91-1	Ethane, 1,1'-(methylenebis(oxy))bis[2-chloro-
U117	60-29-7	Ethane, 1,1'-oxybis- (I)
U025	111-44-4	Ethane, 1,1'-oxybis[2-chloro-
U184	76-01-7	Ethane, pentachloro-
U208	630-20-6	Ethane, 1,1,1,2-tetrachloro-
U209	79-34-5	Ethane, 1,1,1,2-tetrachloro-
U218	62-55-5	Ethanethioamide
U226	71-55-6	Ethane, 1,1,1-trichloro-
U227	79-00-5	Ethane, 1,1,2-trichloro-
U410	59669-26-0	Ethanimidioic acid, N,N'- [thiobis-(methylimino)carbonyloxy]] bis-, dimethyl ester
U394	30558-43-1	Ethanimidioic acid, 2-(dimethyl- amino)-N-hydroxy-2-oxo-, methyl ester
U359	110-80-5	Ethanol, 2-ethoxy-
U173	1116-54-7	Ethanol, 2,2'-(nitrosoimino)bis-
U395	5952-26-1	Ethanol, 2,2'-oxybis-, dicarbamate
U004	98-86-2	Ethanone, 1-phenyl-
U043	75-01-4	Ethene, chloro-
U042	110-75-8	Ethene,(2-chloroethoxy)-
U078	75-35-4	Ethene, 1,1-dichloro-
U079	156-60-5	Ethene, 1,2-dichloro-, (E)-
U210	127-18-4	Ethene, tetrachloro-
U228	79-01-6	Ethene, trichloro-
U112	141-78-6	Ethyl acetate (I)
U113	140-88-5	Ethyl acrylate (I)
U238	51-79-6	Ethyl carbamate (urethane)
U117	60-29-7	Ethyl ether
U114	P 111-54-6	Ethylenebisdithiocarbamic acid, salts and esters
U067	106-93-4	Ethylene dibromide
U077	107-06-2	Ethylene dichloride
U359	110-80-5	Ethylene glycol monoethyl ether
U115	75-21-8	Ethylene oxide (I,T)
U116	96-45-7	Ethylenethiourea

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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U076	75-34-3	Ethylidene dichloride
U118	97-63-2	Ethyl methacrylate
U119	62-50-0	Ethyl methanesulfonate
U120	206-44-0	Fluoranthene
U122	50-00-0	Formaldehyde
U123	54-18-6	Formic acid (C,T)
U124	110-00-9	Furan (I)
U125	98-01-1	2-Furancarboxaldehyde (I)
U147	108-31-6	2,5-Furandione
U213	109-99-9	Furan, tetrahydro- (I)
U125	98-01-1	Furfural (I)
U124	110-00-9	Furfuran (I)
U206	18883-66-4	Glucopyranose, 2-deoxy-2-(3-methyl-3-nitrosoureido)-, D-
U206	18883-66-4	D-Glucose, 2-deoxy-2-[[[(methylnitrosoamino)-carbonyl]amino]-glycidyl]aldehyde
U126	765-34-4	Guanidine, N-methyl-N'-nitro-N-nitroso-
U163	70-25-7	Hexachlorobenzene
U127	118-74-1	Hexachlorobutadiene
U128	87-68-3	Hexachlorocyclopentadiene
U130	77-47-4	Hexachlorocyclopentadiene
U131	67-72-1	Hexachloroethane
U132	70-30-4	Hexachlorophene
U243	1888-71-7	Hexachloropropene
U133	302-01-2	Hydrazine (R,T)
U086	1615-80-1	Hydrazine, 1,2-diethyl-
U098	57-14-7	Hydrazine, 1,1-dimethyl-
U099	540-73-8	Hydrazine, 1,2-dimethyl-
U109	122-66-7	Hydrazine, 1,2-diphenyl-
U134	7664-39-3	Hydrofluoric acid (C,T)
U134	7664-39-3	Hydrogen fluoride (C,T)
U135	7783-06-4	Hydrogen sulfide
U135	7783-06-4	Hydrogen sulfide H[2]S
U096	80-15-9	Hydroperoxide, 1-methyl-1-phenylethyl-(R)
U116	96-45-7	2-Imidazolidinethione
U137	193-39-5	Indenol[1,2,3-cd]pyrene
U190	85-44-9	1,3-Isobenzofurandione
U140	78-83-1	Isobutyl alcohol (I,T)
U141	120-58-1	Isosafrole
U142	143-50-0	Kepone
U143	303-34-4	Lasiocarpene

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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U144	301-04-2	Lead acetate
U146	1335-32-6	Lead, bis(acetato-O)tetrahydroxytri-
U145	7446-27-7	Lead phosphate
U146	1335-32-6	Lead subacetate
U129	58-89-9	Lindane
U163	70-25-7	MNNG
U147	108-31-6	Maleic anhydride
U148	123-33-1	Maleic hydrazide
U149	109-77-3	Malononitrile
U150	148-82-3	Melphalan
U151	7439-97-6	Mercury
U152	126-98-7	Methacrylonitrile (I,T)
U092	124-40-3	Methanamine, N-methyl- (I)
U029	74-83-9	Methane, bromo-
U045	74-87-3	Methane, chloro- (I,T)
U046	107-30-2	Methane, chloromethoxy-
U068	74-95-3	Methane, dibromo-
U080	75-09-2	Methane, dichloro-
U075	75-71-8	Methane, dichlorodifluoro-
U138	74-88-4	Methane, iodo-
U119	62-50-0	Methanesulfonic acid, ethyl ester
U211	56-23-5	Methane, tetrachloro-
U153	74-93-1	Methanethiol (I,T)
U225	75-25-2	Methane, tribromo-
U044	67-66-3	Methane, trichloro-
U121	75-69-4	Methane, trichlorofluoro-
U036	57-74-9	4,7-Methano-1H-indene, 1,2,4,5,6,7,8-octachloro-2,3,3a,4,7,7a-hexahydro-
U154	67-56-1	Methanol (I)
U155	91-80-5	Methapyrene
U142	143-50-0	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one,
U247	72-43-5	1,1a,3,3a,4,5,5a,5b,6-decachlorooctahydro-
U154	67-56-1	Methoxychlor
U029	74-83-9	Methyl alcohol (I)
U186	504-60-9	Methyl bromide
U045	74-87-3	1-Methylbutadiene (I)
U156	79-22-1	Methyl chloride (I,T)
U226	71-55-6	Methyl chloroacetate (I,T)
U157	56-49-5	Methylchloroform
U158	101-14-4	3-Methylcholanthrene
U068	74-95-3	4,4'-Methylenebis(2-chloroaniline)
		Methylene bromide



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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U080	75-09-2	Methylene chloride
U159	78-93-3	Methyl ethyl ketone (MEK) (I,T)
U160	1338-23-4	Methyl ethyl ketone peroxide (R,T)
U138	74-88-4	Methyl iodide
U161	108-10-1	Methyl isobutyl ketone (I)
U162	80-62-6	Methyl methacrylate (I,T)
U161	108-10-1	4-Methyl-2-pentanone (I)
U164	56-04-2	Methylthiouracil
U010	50-07-7	Mitomycin C
U059	20830-81-3	5,12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy)-alpha-L-lyxo-hexapyranosyl]oxyl]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-, (8S-cis)-
U167	134-32-7	1-Naphthalenamine
U168	91-59-8	2-Naphthalenamine
U026	494-03-1	Naphthaleneamine, N,N'-bis(2-chloroethyl)-
U165	91-20-3	Naphthalene
U047	91-58-7	Naphthalene, 2-chloro-
U166	130-15-4	1,4-Naphthalenedione
U236	72-57-1	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl-1,1'-biphenyl)-4,4'-diyl]bis(azo)bis[5-amino-4-hydroxy]-, tetrasodium salt
U279	63-25-2	1-Naphthalenol, methylcarbamate
U166	130-15-4	1,4-Naphthoquinone
U167	134-32-7	alpha-Naphthylamine
U168	91-59-8	beta-Naphthylamine
U217	10102-45-1	Nitric acid, thallium (1+) salt
U169	98-95-3	Nitrobenzene (I,T)
U170	100-02-7	p-Nitrophenol
U171	79-46-9	2-Nitropropane (I,T)
U172	924-16-3	N-Nitrosodi-n-butylamine
U173	1116-54-7	N-Nitrosodiethanolamine
U174	55-18-5	N-Nitrosodiethylamine
U176	759-73-9	N-Nitroso-N-ethylurea
U177	684-93-5	N-Nitroso-N-methylurea
U178	615-53-2	N-Nitroso-N-methylurethane
U179	100-75-4	N-Nitrosopiperidine
U180	930-55-2	N-Nitrosopyrrolidine
U181	99-55-8	5-Nitro-o-toluidine
U193	1120-71-4	1,2-Oxathiolane, 2,2-dioxide

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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U058	50-18-0	2H-1,3,2-Oxazaphosphorin-2-amine, N,N-bis(2-chloroethyl)tetrahydro-, 2-oxide
U115	75-21-8	Oxirane (I,T)
U126	765-34-4	Oxirane-carboxaldehyde
U041	106-89-8	Oxirane, (chloromethyl)-
U182	123-63-7	Paraldehyde
U183	608-93-5	Pentachlorobenzene
U184	76-01-7	Pentachloroethane
U185	82-68-8	Pentachloronitrobenzene (PCNB)
See F027	87-86-5	Pentachlorophenol
U161	108-10-1	Pentanol, 4-methyl-
U186	504-60-9	1,3-Pentadiene (I)
U187	62-44-2	Phenacetin
U188	108-95-2	Phenol
U048	95-57-8	Phenol, 2-chloro-
U039	59-50-7	Phenol, 4-chloro-3-methyl-
U081	120-83-2	Phenol, 2,4-dichloro-
U082	87-65-0	Phenol, 2,6-dichloro-
U089	56-53-1	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-
U101	105-67-9	Phenol, 2,4-dimethyl-
U052	1319-77-3	Phenol, methyl-
U132	70-30-4	Phenol, 2,2'-methylenbis[3,4,6-trichloro-phenol, 2-(1-methylethoxy)-, methylcarbamate
U411	114-26-1	Phenol, 4-nitro-
U170	100-02-7	Phenol, pentachloro-
See F027	87-86-5	Phenol, 2,3,4,6-tetrachloro-
See F027	58-90-2	Phenol, 2,4,5-trichloro-
See F027	95-95-4	Phenol, 2,4,6-trichloro-
See F027	88-06-2	Phenol, 2,4,6-trichloro-
U150	148-82-3	L-Phenylalanine, 4-[bis(2-chloroethyl)amino]-
U145	7446-27-7	Phosphoric acid, lead (2+) salt (2:3)
U087	3288-58-2	Phosphorothioic acid, O,O-diethyl S-methyl ester
U189	1314-80-3	Phosphorus sulfide (R)
U190	85-44-9	Phthalic anhydride
U191	109-06-8	2-Picoline
U179	100-75-4	Piperidine, 1-nitroso-
U192	23950-58-5	Pronamide
U194	107-10-8	1-Propanamine (I,T)
U111	621-64-7	1-Propanamine, N-nitroso-N-propyl-

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U110	142-84-7	1-Propanamine, N-propyl- (I)
U066	96-12-8	Propane, 1,2-dibromo-3-chloro-
U083	78-87-5	Propane, 1,2-dichloro-
U149	109-77-3	Propanedinitrile
U171	79-46-9	Propane, 2-nitro- (I,T)
U027	108-60-1	Propane, 2,2'-oxybis[2-chloro-
See F027	93-72-1	trichlorophenoxy)-
U193	1120-71-4	1,3-Propane sultone
U235	126-72-7	1-Propanol, 2,3-dibromo-, phosphate (3:1)
U140	78-83-1	1-Propanol, 2-methyl- (I,T)
U002	67-64-1	2-Propanone (I)
U007	79-06-01	2-Propanamide
U084	542-75-6	1-Propene, 1,3-dichloro-
U243	1888-71-7	1-Propene, 1,1,2,3,3,3-hexachloro-
U009	107-13-1	2-Propenenitrile
U152	126-98-7	2-Propenenitrile, 2-methyl- (I,T)
U008	79-10-7	2-Propenoic acid (I)
U113	140-88-5	2-Propenoic acid, ethyl ester (I)
U118	97-63-2	2-Propenoic acid, 2-methyl-, ethyl ester
U162	80-62-6	2-Propenoic acid, 2-methyl-, methyl ester (I,T)
U373	122-42-9	Propnam
U411	114-26-1	Propoxur
See F027	93-72-1	Propionic acid,
U194	107-10-8	2-(2,4,5-trichlorophenoxy)-
U083	78-87-5	n-Propylamine (I,T)
U387	52888-80-9	Propylene dichloride
U148	123-33-1	Prosulfocarb
U196	110-86-1	3,6-Pyridazinedione, 1,2-dihydro-
U191	109-06-8	Pyridine
U237	66-75-1	Pyridine, 2-methyl-
U164	58-04-2	2,4-(1H,3H)-Pyrimidinedione, 5-bis(2-chloroethyl)amino]-
U180	930-55-2	4(1H)-Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-
U200	50-55-5	Pyrolidone, 1-nitroso-
U201	108-46-3	Reserpine
U202	P 81-07-2	Resorcinol
U203	94-59-7	Saccharin and salts
U204	7783-00-8	Safrrole
		Selenious acid

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U204	7783-00-8	Selenium dioxide
U205	7488-56-4	Selenium sulfide
U205	7488-56-4	Selenium sulfide Ses[2] (R,T)
U015	115-02-6	L-Serine, diazoacetate (ester)
See F027	93-72-1	Silvex (2,4,5-TP)
U206	18883-66-4	Streptozotocin
U103	77-78-1	Sulfuric acid, dimethyl ester
U189	1314-80-3	Sulfur phosphide (R)
See F027	93-76-5	2,4,5-T
U207	95-94-3	1,2,4,5-Tetrachlorobenzene
U208	630-20-6	1,1,1,2-Tetrachloroethane
U209	79-34-5	1,1,2,2-Tetrachloroethane
U210	127-18-4	Tetrachloroethylene
See F027	58-90-2	2,3,4,6-Tetrachlorophenol
U213	109-99-9	Tetrahydrofuran (I)
U214	563-68-8	Thallium (I) acetate
U215	6533-73-9	Thallium (I) carbonate
U216	7791-12-0	Thallium (I) chloride
U216	7791-12-0	Thallium chloride TiCl
U217	10102-45-1	Thallium (I) nitrate
U218	62-55-5	Thioacetamide
U410	59669-26-0	Thiodicarb
U153	74-93-1	Thiomethanol (I,T)
U244	137-26-8	Thioperoxydicarbonic diamide
U409	23564-05-8	[(H[2N]C(S))[2]S[2], tetramethyl-
U219	62-56-6	Thiophanate-methyl
U244	137-26-8	Thiourea
U220	108-88-3	Thiram
U221	25376-45-8	Toluene
U223	26471-62-5	Toluenediamine
U328	95-53-4	Toluene diisocyanate (R,T)
U353	106-49-0	o-Toluidine
U222	636-21-5	p-Toluidine
U389	2303-17-5	o-Toluidine hydrochloride
U011	61-82-5	Triallate
U227	79-00-5	1H-1,2,4-Triazol-3-amine
U228	79-01-6	1,1,2-Trichloroethane
U121	75-69-4	Trichloroethylene
See F027	95-95-4	Trichloromonofluoromethane
See F027	88-06-2	2,4,5-Trichlorophenol
U404	121-44-8	2,4,6-Trichlorophenol
U234	99-35-4	Triethylamine
U182	123-63-7	1,3,5-Trinitrobenzene (R,T)
		1,3,5-Trioxane, 2,4,6-trimethyl-

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## NOTICE OF ADOPTED AMENDMENTS

Hazardous Waste No.	Chemical Abstracts No.	Substance
U235	126-72-7	Tris(2,3-dibromopropyl) phosphate
U236	72-57-1	Trypan blue
U237	66-75-1	Uracyl mustard
U176	759-73-9	Urea, N-ethyl-N-nitroso-
U177	684-93-5	Urea, N-methyl-N-nitroso-
U043	75-01-4	Vinyl chloride
U248	P 81-81-2	Warfarin, and salts, when present at concentrations of 0.3% or less
U239	1330-20-7	Xylene (I)
U200	50-55-5	Yohimban-16-carboxylic acid, 11,17-dimethoxy-18-[(3,4,5-trimethoxybenzoyl)oxy]-, methyl ester,
U249	1314-84-7	(3beta,16beta,17alpha,18beta,20alpha)-Zinc phosphide Zn[3P(2)], when present at concentrations of 10 percent or less

(Source: Amendment 2 of 1998<sup>22</sup>)Ill. Reg. 17531 effective

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## Section 721.APPENDIX H Hazardous Constituents

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
A2213	Ethanimidiothioic acid, 2-(dimethylamino)-N-hydroxy-2-oxo-, methyl ester	30558-43-1	U394
Acetonitrile	Same	75-05-8	U003
Acetophenone	Ethanone, 1-phenyl-	98-86-2	U004
2-Acetylaminofluorene	Acetamide, N-9H-fluoren-2-yl-	53-96-3	9995U005
Acetyl chloride	Same	75-36-5	U006
1-Acetyl-2-thiourea	Acetamide, N-(aminothioxomethyl)-	591-08-2	P002
Acrolein	2-Propenal	107-02-8	P003
Acrylamide	2-Propenamide	79-06-1	U007
Acrylonitrile	2-Propenenitrile	107-13-1	U009
Aflatoxins	Same	1402-68-2	P070
Aldicarb	Propanal, 2-methyl-2-(methylthio)-, O-[(methylamino)carbonyl] oxime	1646-88-4	P203
Aldicarb sulfone	Propanal, 2-methyl-2-(methylsulfonyl)-, O-[(methylamino)carbonyl] oxime	309-00-2	P004
Aldrin	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-, 1,4,4a,5,8a-hexahydro-, 1-alpha, 4-alpha 4a-beta, 5-alpha, 8-alpha 8a-beta)-	107-18-6	P005
Allyl alcohol	2-Propen-1-ol	107-18-6	P006
Allyl chloride	1-Propene, 3-chloro-	20859-73-8	P007
Aluminum phosphide	Same	92-67-1	P008
4-Aminobiphenyl	[1,1'-Biphenyl]-4-amine	2763-96-4	U011
5-(Aminomethyl)-3-isoxazolol	3(2H)-Isoxazolone, 5-(aminomethyl)-	504-24-5	U011
4-Aminopyridine	4-Pyridinamine	61-82-5	U011
Amitrole	1H-1,2,4-Triazol-3-amine	7803-55-6	U012
Ammonium vanadate	Vanadic acid, ammonium salt	62-53-3	U012
Aniline	Benzenamine	7440-36-0	
Antimony compounds, N.O.S.	Same		



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
(not otherwise specified)			
Aramite	Sulfurous acid, 2-chloroethyl-, 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester	140-57-8	
Arsenic	Arsenic	7440-38-2	
Arsenic compounds, N.O.S.			
Arsenic acid	Arsenic acid H[3]AsO[4]	7778-39-4	P010
Arsenic pentoxide	Arsenic oxide As[2]O[5]	1303-28-2	P011
Arsenic trioxide	Arsenic oxide As[2]O[3]	1327-53-3	P012
Auramine	Benzenamine, 4,4'-carbonimidoylbis[N, N-dimethyl-]	492-80-8	U014
Azaserine	L-Serine, diazoacetate (ester)	115-02-6	U015
Barban	Carbamic acid, (3-chlorophenyl)-, 4-chloro-2-butynyl ester	101-27-9	U280
Barium	Same	7440-39-3	
Barium compounds, N.O.S.			
Barium cyanide	Same	542-62-1	P013
Bendiocarb	1,3-Benzodioxol-4-ol-2,2-dimethyl-, methyl carbamate	22781-23-3	U278
Bendiocarb phenol	1,3-Benzodioxol-4-ol-2,2-dimethyl-,	22961-82-6	U364
Benomyl	Carbamic acid, [1-(butylamino)carbonyl]-[H-benzimidazol-2-yl]-, methyl ester	17804-35-2	U271
Benz[c]acridine	Same	225-51-4	U016
Benz[a]anthracene	Same	56-55-3	U018
Benzal chloride	Benzene, (dichloromethyl)-	98-87-3	U017
Benzene	Same	71-43-2	U018
Benzenearsonic acid	Arsenic acid, phenyl-[1,1'-biphenyl]-4,4'-diamine	98-05-5	
Benzidine	Same	92-87-5	U021
Benzo[b]fluoranthene	Benzo[e]acephenanthrylene	205-99-2	
Benzo[j]fluoranthene	Same	205-82-3	
Benzo[k]fluoranthene	Same	207-08-9	
Benzo[a]pyrene	Same	50-32-8	U022
p-Benzoquinone	2,5-Cyclohexadiene-1,4-dione	106-51-4	U197
Benzotrithloride	Benzene,	98-07-7	U023

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## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Benzyl chloride	(trichloromethyl)-	100-44-7	P028
Beryllium powder	Benzene, (chloromethyl)-	7440-41-7	P015
Beryllium compounds, N.O.S.	Same		
Bis(pentamethylene)thiuram tetrasulfide	Piperidine, 1,1'-(tetra-thiodicarbonothioyl)-bis-	120-54-7	
Bromoacetone	2-Propanone, 1-bromo	598-31-2	P017
Bromoform	Methane, tribromo-	75-25-2	U225
4-Bromophenyl phenyl ether	Benzene,	101-55-3	U030
Brucine	1-bromo-4-phenoxy-strychnidin-10-one, 2,3-dimethoxy-	357-57-3	P018
Butylate	Carbamothioic acid, bis-(2-methylpropyl)-, S-ethyl ester	2008-41-5	
Butyl benzyl phthalate	1,2-Benzenedicarboxylic acid, butyl phenylmethyl ester	85-68-7	
Cacodylic acid	Arsenic acid, dimethyl-	75-60-5	U136
Cadmium	Same	7440-43-9	
Cadmium compounds, N.O.S.			
Calcium chromate	Chromic acid H[2]CrO[4], calcium salt	13765-19-0	U032
Calcium cyanide	Calcium cyanide Ca(CN)[2]	592-01-8	P021
Carbaryl	1-Naphthalenol, methyl-carbamate	63-25-2	U279
Carbendazim	Carbamic acid, 1H-benzimidazol-2-yl, methyl ester	10605-21-7	U372
Carbofuran	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-, methylcarbamate	1563-66-2	P127
Carbofuran phenol	7-Benzofuranol, 2,3-dihydro-2,2-dimethyl-carbamate	1563-38-8	U367
Carbosulfan	Carbamic acid, [(dibutylamino)thio] methyl-, 2,3-dihydro-2,2-dimethyl-7-benzofuranyl ester	55285-14-8	P189
Carbon disulfide	Same	75-15-0	P022
Carbon oxyfluoride	Carbonic difluoride	353-50-4	U033
Carbon tetrachloride	Methane, tetrachloro-	56-23-5	U211
Chloral	Acetaldehyde, trichloro-	75-87-6	U034
Chlorambucil	Benzenebutanoic acid	305-03-3	U035

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Chlordane	4-[bis(2-chloroethyl)amino]-4,7-methano-1H-indene, 1,2,4,5,6,7,8,8-octachloro-2,3,3a,4,7,7a-hexahydro-	57-74-9	U036
Chlordane, alpha and gamma isomers			
Chlorinated benzenes, N.O.S.			
Chlorinated ethane, N.O.S.			
Chlorinated fluorocarbons, N.O.S.			
Chlorinated naphthalene, N.O.S.			
Chlorinated phenol, N.O.S.			
Chloronaphazine	Naphthalenamine, N,N'-bis(2-chloroethyl)-	494-03-1	U026
Chloroacetaldehyde	Acetaldehyde, chloro-	107-20-0	P023
Chloroalkyl ethers, N.O.S.			
p-Chloroaniline	Benzenamine, 4-chloro-	106-47-8	P024
Chlorobenzene	Benzene, chloro-	108-90-7	U037
Chlorobenzilate	Benzeneacetic acid, 4-chloro-alpha-(4-chlorophenyl)-alpha-hydroxy-, ethyl ester	510-15-6	U038
p-Chloro-m-cresol	Phenol, 4-chloro-3-methyl-	59-50-7	U039
2-Chloroethyl vinyl ether	Ethene, (2-chloroethoxy)-	110-75-8	U042
Chloroform	Methane, trichloro-	67-66-3	U044
Chloromethyl methyl ether	Methane, chloromethoxy-	107-30-2	U046
beta-Chloronaphthalene	Naphthalene, 2-chloro-	91-58-7	U047
o-Chlorophenol	Phenol, 2-chloro-	95-57-8	U048
1-(o-Chlorophenyl)thiourea	Thiourea, (2-chlorophenyl)-	5344-82-1	P026
Chloroprene	1,3-Butadiene, 2-chloro-	126-99-8	
3-Chloropropionitrile	Propanenitrile, 3-chloro-	542-76-7	P027
Chromium	Same	7440-47-3	
Chromium compounds,			

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## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
N.O.S.			
Chrysene	Same	218-01-9	U050
Citrus red No. 2	2-Naphthalenol, 1-[(2,5-dimethoxyphenyl)azo]-	6358-53-8	
Coal tar creosote	Same		
Copper cyanide	Copper cyanide CuCN	8007-45-2	
Copper dimethyldithiocarbamate	Copper, bis(dimethyl-carbamodithioato-S,S')-, Same	544-92-3	P029
Creosote	Same	137-29-1	
Cresols (Cresylic acid)	Phenol, methyl-		
Crotonaldehyde	2-Butenal	1319-77-3	U051
m-Cumenyl methylcarbamate	Phenol, 3-(methyllethyl)-, methyl carbamate	4170-30-3	U053
Cyanides (soluble salts and complexes), N.O.S.		64-00-6	P022
Cyanogen			
Cyanogen bromide	Ethanedinitrile		
Cyanogen chloride	Cyanogen bromide (CN)Br	460-19-5	P031
Cycasin	Cyanogen chloride (CN)Cl	506-68-3	U246
Cycloate	Beta-D-glucopyranoside, (methyl-ONN-azoxy)methyl-	506-77-4	P033
2-Cyclohexyl-4,6-dinitrophenol	Carbamothioic acid, cyclohexylethyl-, S-ethyl ester	14901-08-7	
Cyclophosphamide	Phenol, 2-cyclohexyl-4,6-dinitro-	1134-23-2	
	2H-1,3,2-Oxazaphosphorin-2-amine, N, N-bis(2-chloroethyl)tetrahydro-, 2-oxide	131-89-5	P034
	Acetic acid, (2,4-dichlorophenoxy)-	50-18-0	U058
2,4-D	Acetic acid, (2,4-dichlorophenoxy)-, salts and esters		
2,4-D, salts and esters		94-75-7	U240
Daunomycin	5,12-Naphthacenedione, 8-acetyl-10-[(3-amino-2,3,6-trideoxy-alpha-L-lyxohexopyranosyl)oxy]-7,8,9,10-tetrahydro-6,8,11-trihydroxy-1-methoxy-, 8S-cis-2H-1,3,5-thiadiazine-2-	20830-81-3	U059
Dazomet			
		533-74-4	

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
DDD	thione, tetrahydro-3,5-dimethyl	72-54-8	U060
DDE	Benzene, 1,1'-(2,2-dichloroethylidene) bis[4-chloro-	72-55-9	
DDT	Benzene, 1,1'-(2,2-dichloroethylidene)bis[4-chloro-	50-29-3	
Diallate	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis[4-chloro-	2303-16-4	U061
	Carbamothioic acid, bis(1-methylethyl)-, S-(2,3-dichloro-2-propenyl) ester		U062
Dibenz[a,h]acridine	Same	226-36-8	
Dibenz[a,j]acridine	Same	224-42-0	
Dibenz[a,h]anthracene	Same	53-70-3	U063
7H-Dibenzof[c,g]carbazole	Same	194-59-2	
Dibenzof[a,e]pyrene	Naphtho[1,2,3,4-def]chrysene	192-65-4	
Dibenzof[a,h]pyrene	Dibenzof[b,def]chrysene	189-64-0	
Dibenzof[a,i]pyrene	Benzof[rst]pentaphene	189-55-9	U064
1,2-Dibromo-3-chloropropane	Propane, 1,2-dibromo-3-chloro-	96-12-8	U066
Dibutyl phthalate	1,2-Benzenedicarboxylic acid, dibutyl ester	84-74-2	U069
o-Dichlorobenzene	Benzene, 1,2-dichloro-	95-50-1	U070
m-Dichlorobenzene	Benzene, 1,3-dichloro-	541-73-1	U071
p-Dichlorobenzene	Benzene, 1,4-dichloro-	106-46-7	U072
Dichlorobenzene, N.O.S.	Benzene, dichloro-, [1,1'-Biphenyl]-4,4'-diamine, 3,3'-dichloro-	25321-22-6	
3,3'-Dichlorobenzidine	2-Butene, 1,4-dichloro-	91-94-1	U073
1,4-Dichloro-2-butene	Methane, dichlorodifluoro-	764-41-0	U074
Dichlorodifluoromethane	Dichloroethylene	75-71-8	U075
Dichloroethylene, N.O.S.	Ethene, 1,1-dichloro-	25323-30-2	
1,1-Dichloroethylene	Ethene, 1,2-dichloro-, (E)-	75-35-4	U078
1,2-Dichloroethylene	Ethane, 1,1'-oxybis[2-chloro-	156-60-5	U079
Dichloroethyl ether	propane, 2,2'-oxybis[2-chloro-	111-44-4	U025
Dichloroisopropyl ether	2,2'-oxybis[2-chloro-	108-60-1	U027

## POLLUTION CONTROL BOARD

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Dichloromethoxyethane	Ethane, 1,1'-[methylenebis(oxy)]bis-[2-chloro-	111-91-1	U024
Dichloromethyl ether	Methane, oxybis[chloro-	542-88-1	P016
2,4-Dichlorophenol	Phenol, 2,4-dichloro-	120-83-2	U081
2,6-Dichlorophenol	Phenol, 2,6-dichloro-	87-65-0	U082
Dichlorophenyl-arsine	Arsinous dichloride, phenyl-	696-28-6	P036
Dichloropropane, N.O.S.	Propane, dichloro-	26638-19-7	
Dichloropropanol, N.O.S.	Propanol, dichloro-	26545-73-3	
Dichloropropene, N.O.S.	1-Propene, dichloro-	26952-23-8	
1,3-Dichloropropene	1-Propene, 1,3-dichloro-	542-75-6	U084
Dieldrin	2,7,3,6-Dimethanonaphth [2,3-b]oxirene, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (laalpa, 2 beta, 2aalpa, 3 beta, 6 beta, 6a alpha, 7 beta, 7a alpha)-	60-57-1	P037
1,2,3,4-Diepoxybutane	2,2'-Bioxirane	1464-53-5	U085
Diethylarsine	Arsine, diethyl-	692-42-2	P038
Diethylene glycol, dicarbamate	Ethanol, 2,2'-oxybis-, dicarbamate	5952-26-1	U395
1,4-Diethyleneoxide	1,4-Dioxane	123-91-1	U108
Diethylhexyl phthalate	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl) ester	117-81-7	U028
N,N'-Diethylhydrazine	Hydrazine, 1,2-diethyl-	1615-80-1	U086
O,O-Diethyl S-methyl dithiophosphate	Phosphorodithioic acid, O,O-diethyl S-methyl ester-	3288-58-2	U087
Diethyl-p-nitrophenyl phosphate	Phosphoric acid, diethyl 4-nitrophenyl ester	311-45-5	P041
Diethyl phthalate	1,2-Benzenedicarboxylic acid, diethyl ester-	84-66-2	U088
O,O-Diethyl O-phosphorothioic acid,	Phosphorothioic acid,	297-97-2	P040



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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
pyrazinyl phosphorothioate	O,O-diethyl O-pyrazinyl ester	56-53-1	U089
Diethylstilbestrol	Phenol, 4,4'-(1,2-diethyl-1,2-ethenediyl)bis-, (E)-	94-58-6	U090
Dihydrosofrole	1,3-Benzodioxole, 5-propyl-	55-91-4	P043
Disopropyl fluorophosphate (DFF)	Phosphorofluoridic acid, bis(1-methylethyl) ester	60-51-5	P044
Dimethoate	Phosphorodithioic acid, O,O-dimethyl S-[2-(methylamino)-2-oxoethyl] ester	644-64-4	P191
Dimetilan	Carbamic acid, dimethyl-, 1-[(dimethylamino)carbonyl]-5-methyl-1H-pyrazol-3-yl ester	119-90-4	U091
3,3'-Dimethoxy benzidine	[1,1'-Biphenyl]-4,4'-di-4'-diamine, 3,3'-dimethoxy-	60-11-7	U093
p-Dimethylamino azobenzene	Benzenamine, N,N-dimethyl-4-(phenylazo)-	57-97-6	U094
7,12-Dimethylbenz[a]anthracene	Benz[a]anthracene, 7,12-dimethyl-	119-93-7	U095
3,3'-Dimethyl benzidine	[1,1'-Biphenyl]-4,4'-diamine, 3,3'-dimethyl-	79-44-7	U097
Dimethylcarbamoyl chloride	Carbamic chloride, dimethyl-	57-14-7	U098
1,1-Dimethylhydrazine	Hydrazine, 1,1-dimethyl-	540-73-8	U099
1,2-Dimethylhydrazine	Hydrazine, 1,2-dimethyl-	122-09-8	P046
alpha, alpha-Dimethyl phenethylamine	Benzeethanamine, alpha, alpha-dimethyl-	105-67-9	U101
2,4-Dimethylphenol	Phenol, 2,4-dimethyl-	131-11-3	U102
Dimethylphthalate	1,2-Benzenedicarboxylic acid, dimethyl ester	77-78-1	U103
Dimethyl sulfate	Sulfuric acid, dimethyl ester	25154-54-5	P047
Dinitrobenzene, N.O.S.	Benzenamine, dinitro-	534-52-1	P047
4,6-Dinitro-o-cresol	Phenol, 2-methyl-4,6-dinitro-		
4,6-Dinitro-o-cresol salts			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
2,4-Dinitrophenol	Phenol, 2,4-dinitro-	51-28-5	P048
2,4-Dinitrotoluene	Benzene, 1-methyl-2,4-dinitro-	121-14-2	U105
2,6-Dinitrotoluene	Benzene, 2-methyl-1,3-dinitro-	606-20-2	U106
Dinoseb	Phenol, 2-(1-methylpropyl)-4,6-dinitro-	88-85-7	P020
Di-n-octyl phthalate	1,2-Benzenedicarboxylic acid, dioctyl ester	117-84-0	U107
Diphenylamine	Benzenamine, N-phenyl-	122-39-4	U109
1,2-Diphenylhydrazine	Hydrazine, 1,2-diphenyl	122-66-7	U109
Di-n-propyl nitrosamine	1-Propanamine, N-nitroso-N-propyl-	621-64-7	U111
Disulfiram	Thioperoxydicarbonic diamide, tetraethyl	97-77-8	
Disulfoton	Phosphorodithioic acid, O,O-diethyl S-(2-(ethylthio)ethyl) ester	298-04-4	P039
Dithiobiuret	Thioimidodicarbonic diamide [(H2N)C(S)]2NH	541-53-7	P049
Endosulfan	6,9-Methano-2,4,3-benzodioxathiopene, 6,7,8,9,10,10-hexachloro-1, 5, 5a,6,9,9a-hexahydro-, 3-oxide,	115-29-7	P050
Endothal	7-Oxabicyclo[2.2.1]heptane-2,3-dicarboxylic acid	145-73-3	P088
Endrin	2,7,3,6-Dimethanonaphth[2,3-b]oxirane, 3,4,5,6,9,9-hexachloro-1a,2,2a,3,6,6a,7,7a-octahydro-, (1a alpha, 2 beta, 2a beta, 3 alpha, 6 alpha, 6a beta, 7 beta, 7a alpha)-,	72-20-8	P051
Endrin metabolites	Oxirane, (chloromethyl)-1,2-benzenediol, 4-[1-hydroxy-2-(methylamino)ethyl]-, (R)-	106-89-8	P051
Epichlorohydrin	Carbamothioic acid, dipropyl-, S-ethyl ester	51-43-4	U041
Epinephrine			P042
EPTC			

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Ethyl carbamate (urethane)	Carbamic acid, ethyl ester	51-79-6	U238
Ethyl cyanide	Propanenitrile	107-12-0	P101
Ethylenebisdithiocarbamic acid	Carbamodithioc acid, -1,2-ethanedithybis-	111-54-6	U114
Ethylenebisdithiocarbamic acid, salts and esters			U114
Ethylene dibromide	Ethane, 1,2-dibromo-	106-93-4	U067
Ethylene dichloride	Ethane, 1,2-dichloro-	107-06-2	
Ethylene glycol	Ethanol, 2-ethoxy-	110-80-5	U359
monoethyl ether			
Ethyleneimine	Aziridine	151-56-4	P054
Ethylene oxide	Oxirane	75-21-8	U115
Ethylenethiourea	2-Imidazolidinethione	96-45-7	U116
Ethylidene dichloride	Ethane, 1,1-dichloro-	75-34-3	U076
Ethyl methacrylate	2-Propenoic acid, 2-methyl-, ethyl ester	97-63-2	U118
Ethyl methanesulfonate	Methanesulfonic acid, ethyl ester	62-50-0	U119
Ethyl Ziram	Zinc, bis(diethylcarbamodithioato-S,S')-	14324-55-1	U407
Famphur	Phosphorothioc acid, O-[4-[(dimethylamino)sulfonyl]phenyl]	52-85-7	P097
Ferbam	O,O-dimethyl ester Iron, tris(dimethylcarbamodithioato-S,S')-, Same	14484-64-1	
Fluoranthene	Same	206-44-0	U120
Fluorine	Same	7782-41-4	P056
Fluoroacetamide	Acetamide, 2-fluoro-	640-19-7	P057
Fluoroacetic acid, sodium salt	Acetic acid, fluoro-, sodium salt	62-74-8	P058
Formaldehyde	Same	50-00-0	U122
Formetanate hydrochloride	Methanimidamide, N,N-dimethyl-N'-[3-[(methylamino)carbonyl]-oxy]phenyl]-, monohydrochloride	23422-53-9	P198
Formic acid	Same		
Formparanate	Methanimidamide, N,N-dimethyl-N'-[2-methyl-4-[(methylamino)-carbonyl]oxy]phenyl]-	64-18-16	U123
		17702-57-7	P197
Glycidylaldehyde	Oxiranecarboxaldehyde	765-34-4	U126

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Halomethanes, N.O.S.			
Heptachlor	4,7-Methano-1H-indene, 1,4,5,6,7,8,8-heptachloro-3a	76-44-8	P059
Heptachlor epoxide	4,7,7a-tetrahydro-2,5-Methano-2H-indeno[1,2b]oxirene, 2,3,4,5,6,7,7-heptachloro-1a, 1b, 5,5a,6,6a-hexahydro-, (1a alpha, 1b beta, 2 alpha, 5 alpha, 6 beta, 6a alpha)-	1024-57-3	
Heptachlor epoxide (alpha, beta, and gamma isomers)			
Heptachlorodibenzofurans			
Heptachlorodibenzo-p-dioxins			
Hexachlorobenzene	Benzene, hexachloro-	118-74-1	U127
Hexachlorobutadiene	1,3-Butadiene, 1,1,2,3,4,4-hexachloro-	87-68-3	U128
Hexachlorocyclopentadiene	1,3-Cyclopentadiene, 1,2,3,4,5-hexachloro-	77-47-4	U130
Hexachloroethane			
Hexachlorophene	Ethane, hexachloro-Phenol, 2,2'-methylene-bis [3,4,6-trichloro-1-Propene, 1,1,2,3,3,3-hexachloro-hexaethyl ester	67-72-1 70-30-4	U131 U132
Hexaethyltetraphosphate	Same		
Hydrazine	Hydrocyanic acid	302-01-2	U133
Hydrogen cyanide	Hydrofluoric acid	74-90-8	P063
Hydrogen fluoride	Hydrogen sulfide	7664-39-3	U134
Indeno[1,2,3-cd]pyrene	Same	7783-06-4	U135
3-Iodo-2-propynyl-n-butylcarbamate	Carbamic acid, butyl-, 3-iodo-2-propynyl ester	55406-53-6	
Isobutyl alcohol	1-Propanol, 2-methyl-	78-83-1	U140

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Isodrin	1,4:5,8-Dimethano naphthalene, 1,2,3,4,10, 10-hexachloro-1,4,4a,5, 8,8a-hexahydro-, (1 alpha, 4 alpha, 4a beta, 5 beta, 8 beta, 8a beta)-, Carbamic acid, dimethyl-, 3-methyl-1-(1-methyl-ethyl)-1H-pyrazol-5-yl ester	465-73-6	P060
Isolan	1,3-Benzodioxole, 5-(1-propenyl)-	119-38-0	P192
Isosafrole	1,3,4-Metheno-2H-cyclobuta[cd]pentalen-2-one, 1,1a,3,3a,4,5, 5a,5b,6-decachlorooctahydro-, 2-Butenoic acid, 2-methyl-, 7-[[2, 3-dihydroxy-2-(1-methoxyethyl)-3-methyl-1-oxobutoxy]methyl]-2,3,5,7a-tetrahydro-1H-pyrrolizin-1-yl ester, [1S-[1-alpha(2), 7(2S*, 3R*), 7a alpha]]-Same	120-58-1 143-50-0 303-34-1	U141 U142 U143
Lasiocarpine	Acetic acid, lead (2+) salt	7439-92-1	
Lead	Phosphoric acid, lead (2+) salt (2:3)	301-04-2	U144
Lead and compounds, N.O.S.	Lead, bis(acetato-O) tetrahydroxytri-	7446-27-7	U145
Lead acetate	Cyclohexane, 1,2,3,4,5,6-hexachloro-, 1 alpha, 2 alpha, 3 beta, 4 alpha, 5 alpha, 6 beta)-2,5-Furandione	1335-32-6	U146
Lead phosphate	3,6-Pyridazinedione, 1,2-dihydro-	58-89-9	U129
Lead subacetate	Propanedinitrile	108-31-6	U147
Lindane	Manganese, bis(dimethyl-carbamodithioato-S,S')-, L-Phenylalanine, 4-[(bis(2-chloroethyl)amino)-	123-33-1	U148
Maleic anhydride		109-77-3	U149
Maleic hydrazide		15339-36-3	P196
Malononitrile		148-82-3	U150
Manganese			
Manganese carbamate			
Melphalan			

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Mercury	Same	7439-97-6	U151
Mercury compounds, N.O.S.	Fulminic acid, mercury (2+) salt	628-86-4	P065
Mercury fulminate	Carbamodithioic acid, methyl-, monosodium salt	137-42-8	
Metam Sodium	2-Propenenitrile, 2-methyl-	126-98-7	U152
Methacrylonitrile	1,2-Ethanediamine, N,N-dimethyl-N'-2-pyridinyl-N'-2-thienylmethyl-Phenol, (3,5-dimethyl-4-(methylthio)-, methyl-carbamate	91-80-5	U155
Methapyrilene	Ethanimidothioic acid, N-[[[(methylamino)carbonyl]oxy]-, methyl ester	2032-65-7	P199
Methiocarb	Benzene, 1,1'-(2,2,2-trichloroethylidene) bis[4-methoxy-	16752-77-5	P066
Metholmyl	Methane, chloro-	72-43-5	U247
Methoxychlor	Carbonochloridic acid, methyl ester	74-83-9	U029
Methyl bromide	Ethane, 1,1,1-trichloro-Benz[1]aceanthrylene, 1,2-dihydro-3-methyl-	74-87-3	U045
Methyl chloride	Benzenamine, 4,4'-methylenebis[2-chloro-	79-22-1	U156
Methylchlorocarbonate	Methane, dibromo-	71-55-6	U226
Methyl chloroform	Methane, dichloro-	56-49-5	U157
3-Methylcholanthrene	2-Butanone	101-14-4	U158
4,4'-Methylenebis(2-chloroaniline)	2-Butanone, peroxide	74-95-3	U068
Methylene bromide	Hydrazine, methyl-	75-09-2	U080
Methylene chloride	Methane, iodo-	78-93-3	U159
Methyl ethyl ketone (MEK)	Propanenitrile, 2-hydroxy-2-methyl-	1338-23-4	U160
Methyl ethyl ketone peroxide	2-Propenoic acid, 2-methyl-, methyl ester	60-34-4	P068
Methyl hydrazine	Methanesulfonic acid, methyl ester	74-88-4	U138
Methyl iodide		74-88-4	U138
Methyl isocyanate		624-83-9	P064
2-Methylactonitrile		75-86-5	P069
Methyl methacrylate		80-62-6	U162
Methyl methanesulfonate		66-27-3	



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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Methyl parathion	Phosphorothioic acid, O,O-dimethyl O-(4-nitrophenyl) ester 4-(1H)-	298-00-0	P071
Methylthiouracil	Pyrimidinone, 2,3-dihydro-6-methyl-2-thioxo-	56-04-2	U164
Metolcarb	Carbamic acid, methyl-, 3-methylphenyl ester	1129-41-5	P190
Mexacarbate	Phenol, 4-(dimethylamino)-3,5-dimethyl-, methyl-carbamate (ester)	315-18-4	P128
Mitomycin C	Azirinof[2', 3':3, 4] pyrrolo[1,2-a]indole-4,7-dione, 6-amino-8-[[[(aminocarbonyl)oxy]methyl]-1,1a,2,8,8a,8b-hexahydro-8a-methoxy-5-methyl-, [1a-S(1a alpha, 8b beta, 8a alpha, 8b alpha)]-, 2212-67-1	50-07-7	U010
Mollinate	1H-Azepine-1-carbothioic acid, hexahydro-, S-ethyl ester	2212-67-1	
MNNG	Guanidine, N-methyl-N'-nitro-N-nitroso-[2-chloro-	70-25-7	U163
Mustard gas	Ethane, 1,1'-thiobis	505-60-2	U165
Naphthalene	Same	91-20-3	U165
1,4-Naphthoquinone	1,4-Naphthalenedione	130-15-4	U166
-Naphthylamine	1-Naphthalenamine	134-32-7	U167
beta-Naphthylamine	2-Naphthalenamine	91-59-8	U168
alpha-Naphthyl thiourea	Thiourea, 1-naphthalenyl-	86-88-4	P072
Nickel	Same	7440-02-0	
Nickel compounds, N.O.S.			
Nickel carbonyl	Nickel carbonyl	13463-39-3	P073
Nickel cyanide	Ni(CO)[4], (T-4)-Nickel cyanide	557-19-7	P074
Nicotine	Ni(CN)[2] Pyridine, 3-(1-methyl-2-pyrrolidinyl)-, (S)-	54-11-5	P075
Nicotine salts			
Nitric oxide	Nitrogen oxide NO	10102-43-9	P075
p-Nitroaniline	Benzenamine, 4-nitro	100-01-6	P076
			P077

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Nitrobenzene	Benzene, nitro	98-95-3	P078
Nitrogen dioxide	Nitrogen oxide NO[2]	10102-44-0	P078
Nitrogen mustard	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-	51-75-2	
Nitrogen mustard, hydrochloride salt			
Nitrogen mustard N-oxide	Ethanamine, 2-chloro-N-(2-chloroethyl)-N-methyl-, N-oxide	126-85-2	
Nitrogen mustard, N-oxide, hydrochloride salt			
Nitroglycerin	1,2,3-Propanetriol, trinitrate	55-63-0	P081
p-Nitrophenol	Phenol, 4-nitro	100-02-7	U170
2-Nitropropane	Propane, 2-nitro	79-46-9	U171
Nitrosamines, N.O.S.		35576-91-1	U172
N-Nitrosodi-n-butylamine	1-Butanamine, N-butyl-N-butyl-N-nitroso-	924-16-3	
N-Nitrosodiethanolamine	Ethanol, 2,2'-(nitrosoimino)bis-	1116-54-7	U173
N-Nitrosodiethylamine	Ethanamine, N-ethyl-N-nitroso-	55-18-5	U174
N-Nitrosodimethylamine	Methanamine, N-methyl-N-nitroso-	62-75-9	P082
N-Nitroso-N-ethylurea	Urea, N-ethyl-N-nitroso-	759-73-9	U176
N-Nitrosomethylethylamine	Ethanamine, N-methyl-N-nitroso-	10595-95-6	
N-Nitroso-N-methylurea	Urea, N-methyl-N-nitroso-	684-93-5	U177
N-Nitroso-N-methylurethane	Carbamic acid, methyl nitroso-, ethyl ester	615-53-2	U178
N-Nitrosomethyl-vinylamine	Vinylamine, N-methyl-N-nitroso-	4549-40-0	P084
N-Nitrosomorpholine	Morpholine, 4-nitroso	59-89-2	
N-Nitrosornicotine	Pyridine, 3-(1-nitroso-2-pyrrolidinyl)-, (S)-	16543-55-8	
N-Nitrosopiperidine	Piperidine, 1-nitroso-	100-75-4	U179
N-Nitrosopyrrolidine	Pyrrolidine, 1-nitroso-	930-55-2	U180
N-Nitrososarcosine	Glycine, N-methyl-N-nitroso-	13256-22-9	
5-Nitro-o-toluidine	Benzenamine, 2-methyl-5-nitro-	99-55-8	U181
Octamethyl	Diphosphoramide,	152-16-9	P085

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
pyrophosphoramide	octamethyl-		
Osmium tetroxide	Osmium oxide OsO <sub>4</sub>	20816-12-0	P087
Oxamyl	Ethanimidothioic acid, 2-(dimethylamino)-N-[(methylamino)carbonyl]-oxy]-2-oxo-, methyl ester	23135-22-0	P194
Paraldehyde	1,3,5-Trioxane,	123-63-7	U182
Parathion	2,4,6-trimethyl Phosphorothioic acid, O,O-diethyl O-(4-nitrophenyl) ester	56-38-2	P089
Pebulate	Carbamothioic acid, butyl-ethyl-, S-propyl ester	1114-71-2	
Pentachlorobenzene	Benzene, pentachloro-	608-93-5	U183
Pentachlorodibenzop-dioxins			
Pentachlorodibenzofurans			
Pentachloroethane	Ethane, pentachloro-	76-01-7	U184
Pentachloronitrobenzene (PCNB)	Benzene, pentachloro nitro-	82-68-8	U185
Pentachlorophenol	Phenol, pentachloro-	87-86-5	See F027
Phenacetin	Acetamide, N-(4-ethoxyphenyl)-	62-44-2	U187
Phenol	Same	108-95-2	U188
Phenylenediamine	Benzenediamine	25265-76-3	
Phenylmercury acetate	Mercury, (acetato-O)phenyl-	62-38-4	P092
Phenylthiourea	Thiourea, phenyl-	103-85-5	P093
Phosgene	Carbonic dichloride	75-44-5	P095
Phosphine	Same	7803-51-2	P096
Phorate	Phosphorodithioic acid, O,O-diethyl S-[(ethylthio)methyl] ester	298-02-2	P094
Phthalic acid esters, N.O.S.			
Phthalic anhydride	1,3-Isobenzofurandione	85-44-9	U190
Physostigmine	Pyrolo[2,3-b]indol-5-ol, 1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethyl-, methylcarbamate (ester), (3aS-cis)-	57-47-6	P204
Physostigmine salicyate			
2-Picoline			
Polychlorinated biphenyls, N.O.S.			
Potassium cyanide			
Potassium dimethyldithiocarbamate			
Potassium n-hydroxymethyl-n-methyl-dithiocarbamate			
Potassium n-methyldithiocarbamate			
Potassium silver cyanide			
Potassium pentachlorophenate			
Promecarb			
Pronamide			
1,3-Propane sultone			
Propargyl alcohol			
Propylene dichloride			
1,2-Propylenimine			
Propylthiouracil			
Prosulfocarb			
Pyridine, 2-methyl-			
Carbamodithioic acid, dimethyl, potassium salt			
Carbamodithioic acid, (hydroxymethyl)methyl-, monopotassium salt			
Carbamodithioic acid, methyl-monopotassium salt			
Argentate(1-), bis(cyano-C)-, potassium			
Pentachlorophenol, potassium salt			
Phenol, 3-methyl-5-(1-methylethyl)-, methyl carbamate			
Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propenyl)-			
1,2-Oxathiolane, 2,2-dioxide			
Carbamic acid, phenyl-, 1-methylethyl ester			
Phenol, 2-(1-methyl-ethoxy)-, methylcarbamate			
1-Propanamine			
2-Propyn-1-ol			
Propane, 1,2-dichloro-			
Aziridine, 2-methyl-4(lH)-pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-			
Carbamothioic acid, dipropyl-, S-(phenyl-			

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Physostigmine salicyate	Benzoic acid, 2-hydroxy-compound with (3aS-cis)-1,2,3,3a,8,8a-hexahydro-1,3a,8-trimethylpyrrolo-[2,3-b]indol-5-yl methyl carbamate ester (1:1)	57-64-7	P188
2-Picoline	Pyridine, 2-methyl-	109-06-8	U191
Polychlorinated biphenyls, N.O.S.	Same	151-50-8	P098
Potassium cyanide	Carbamodithioic acid, dimethyl, potassium salt	128-03-0	
Potassium dimethyldithiocarbamate	Carbamodithioic acid, (hydroxymethyl)methyl-, monopotassium salt	51026-28-9	
Potassium n-hydroxymethyl-n-methyl-dithiocarbamate	Carbamodithioic acid, methyl-monopotassium salt	137-41-7	
Potassium silver cyanide	Argentate(1-), bis(cyano-C)-, potassium	506-61-6	P099
Potassium pentachlorophenate	Pentachlorophenol, potassium salt	7778736	None
Promecarb	Phenol, 3-methyl-5-(1-methylethyl)-, methyl carbamate	2631-37-0	P201
Pronamide	Benzamide, 3,5-dichloro-N-(1,1-dimethyl-2-propenyl)-	23950-58-5	U192
1,3-Propane sultone	1,2-Oxathiolane, 2,2-dioxide	1120-71-4	U193
Propargyl alcohol	Carbamic acid, phenyl-, 1-methylethyl ester	122-42-9	U373
Propylene dichloride	Phenol, 2-(1-methyl-ethoxy)-, methylcarbamate	114-26-1	U411
1,2-Propylenimine	1-Propanamine	107-10-8	U194
Propylthiouracil	2-Propyn-1-ol	107-19-7	P102
Prosulfocarb	Propane, 1,2-dichloro-	78-87-5	U083
	Aziridine, 2-methyl-4(lH)-pyrimidinone, 2,3-dihydro-6-propyl-2-thioxo-	75-55-8	P067
	Carbamothioic acid, dipropyl-, S-(phenyl-	51-52-5	
		52888-80-9	U387





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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Thallium (I) carbonate	Carbonic acid, dithallium (1+) salt	6533-73-9	U215
Thallium (I) chloride	Thallium chloride	7791-12-0	U216
Thallium (I) nitrate	Thallium chloride		
Thallium selenite	Nitric acid, thallium (1+) salt	10102-45-1	U217
Thallium (I) sulfate	Selenious acid, dithallium (1+) salt	12039-52-0	P114
Thioacetamide	Sulfuric acid, dithallium (1+) salt	7446-18-6	P115
Thiodicarb	Ethanethioamide	62-55-5	U218
	Ethanethioic acid, N,N'-[thiobis[(methyl-imino)carbonyloxy]]-bis-, dimethyl ester	59669-26-0	U410
Thiofanox	2-Butanone, 3,3-dimethyl-1-(methylthio)-, O-[(methylamino)carbonyl]oxime	39196-18-4	P045
Thiophanate-methyl	Carbamic acid, [1,2-phenylenebis(imino-carbonothioyl)]-bis-, dimethyl ester	23564-05-8	U409
Thiomethanol	Methanethiol	74-93-1	U153
Thiosemicarbazide	Benzenethiol	108-98-5	P014
Thiourea	Hydrazinecarbothioamide	79-19-6	P116
Thiram	Same	62-56-6	P219
	Thioperoxydicarbonic diamide [(H[2]N)C(S)][2] S[2], tetramethyl-	137-26-8	U244
Tirpate	1,3-Dithiolane-2-carboxaldehyde, 2,4-dimethyl-, O-[(methylamino)carbonyl] oxime	26419-73-8	P185
Toluene	Benzenes, methyl-		
Toluenediamine	Benzenediamine, ar-methyl-	108-88-3	U220
Toluene-2,4-diamine	1,3-Benzenediamine, 4-methyl-	25376-45-8	U221
Toluene-2,6-diamine	1,3-Benzenediamine, 2-methyl-	95-80-7	
Toluene-3,4-diamine	1,2-Benzenediamine, 4-methyl-	823-40-5	
Toluene diisocyanate	Benzenes, 1,3-diisocyanatomethyl-	496-72-0	
		26471-62-5	U223

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
o-Toluidine	Benzenamine, 2-methyl-	95-53-4	U328
o-Toluidine hydrochloride	Benzenamine, 2-methyl-, hydrochloride	636-21-5	U222
p-Toluidine	Benzenamine, 4-methyl-Same	106-49-0	U353
Toxaphene	Carbamothioic acid, bis-(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester	8001-35-2	P123
Triallate	Carbamothioic acid, bis-(1-methylethyl)-, S-(2,3,3-trichloro-2-propenyl) ester	2303-17-5	U389
1,2,4-Trichlorobenzene	Benzene, 1,2,4-trichloro-	120-82-1	
1,1,2-Trichloroethane	Ethane, 1,1,2-trichloro-	79-00-5	U227
Trichloroethylene	Ethene, trichloro-	79-01-6	U228
Trichloromethanethiol	Methanethiol, trichloro-	75-70-7	P118
Trichloromonofluoromethane	Methane, trichlorofluoro-	75-69-4	U121
2,4,5-Trichlorophenol	Phenol, 2,4,5-trichloro-	95-95-4	See F027
2,4,6-Trichlorophenol	Phenol, 2,4,6-trichloro-	88-06-2	See F027
2,4,5-T	Acetic acid, (2,4,5-trichlorophenoxy)-	93-76-5	See F027
Trichloropropane, N.O.S.	Propane, 1,2,3-trichloro	25735-29-9	
1,2,3-Trichloropropane	Ethanamine, N,N-diethyl-	96-18-4	
Triethylamine	Phosphorothioic acid, O,O,O-triethyl ester	121-44-8	U404
O,O,O-Triethylphosphorothioate	Benzenes, 1,3,5-trinitro-	126-68-1	
1,3,5-Trinitrobenzene	Aziridine, 1,1',1"-phosphine sulfide	99-35-4	U234
Tris(1-aziridinyl)phosphine sulfide	1-Propanol, 2,3-dibromo-, phosphate (3:1)	52-24-4	
Tris(2,3-dibromopropyl)phosphate	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl [1,1'-biphenyl]-4,4'-diyl)bis(azo)]bis[5-amino-4-hydroxy]-, tetrasodium salt	126-72-7	U235
Trypan blue	2,7-Naphthalenedisulfonic acid, 3,3'-[(3,3'-dimethyl [1,1'-biphenyl]-4,4'-diyl)bis(azo)]bis[5-amino-4-hydroxy]-, tetrasodium salt	72-57-1	U236
Uracil mustard	2,4-(1H,3H)-pyrimidinedione, 5-[bis(2-chloroethyl)amino]-	66-75-1	U237

## POLLUTION CONTROL BOARD

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Common Name	Chemical Abstracts Name	Chemical Abstracts Number	Hazardous Waste Number
Vanadium pentoxide	Vanadium oxide V[2]O[5]	1314-62-1	P120
Vernolate	Carbamothioc acid, dipropyl-, S-propyl ester	1929-77-7	
Vinyl chloride	Ethene, chloro	75-01-4	U043
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations less than 0.3percent %	81-81-2	U248
Warfarin	2H-1-Benzopyran-2-one, 4-hydroxy-3-(3-oxo-1-phenylbutyl)-, when present at concentrations greater than 0.3percent %	81-81-2	P001
Warfarin salts, when present at concentrations less than 0.3percent %			
Warfarin salts, when present at concentrations greater than 0.3percent %			
Zinc cyanide	Zinc cyanide Zn(CN)[2]	557-21-1	P121
Zinc phosphide	Zinc phosphide P[2]Zn[3], when present at concentrations greater than 10percent %	1314-84-7	P122
Zinc phosphide	Zinc phosphide P[2]Zn[3], when present at concentrations of 10percent % or less	1314-84-7	U249
Ziram	Zinc, bis(dimethylcarbamodithioato-S,S')-(T-4)-	137-30-4	P205

Note: The abbreviation N.O.S. (not otherwise specified) signifies those members of the general class not specifically listed by name in this Section.

(Source: Amended SEP 28 1998 22 Ill. Reg. 17531 effective)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## Section 721.APPENDIX Z Table to Section 721.102

	*1	*2	*3	*4
Spent materials	Yes	Yes	Yes	Yes
Sludges (listed in Section 721.131 or 721.132)	Yes	Yes	Yes	Yes
Sludges exhibiting a characteristic of hazardous waste	Yes	Yes	No	Yes
By-products (listed in Section 721.131 or 721.132)	Yes	Yes	Yes	Yes
By-products exhibiting a characteristic of hazardous waste	Yes	Yes	No	Yes
Commercial chemical products listed in Section 721.133				
Scrap metal other than excluded scrap metal (see Section 721.101(c)(9))	Yes	Yes	Yes	Yes
Yes - Defined as a solid waste				
No - Not defined as a solid waste				
*1 - Use constituting disposal (Section 721.102(c)(1))				
*2 - Burning for energy recovery or use to produce a fuel (Section 721.102(c)(2))				
*3 - Reclamation (Section 721.102(c)(3))				
*4 - Speculative accumulation (Section 721.102(c)(4))				

BOARD NOTE: Derived from Table 1 to 40 CFR 261.2(c)(4) (19974). The terms "spent materials", "sludges", "by products", "scrap metal", and "processed scrap metal" are defined in Section 721.101.

(Source: Amended SEP 28 1998 at 22 Ill. Reg. 17531 effective)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Interim Status Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

- 2) Code citation: 35 Ill. Adm. Code 725

- 3) Section numbers: Adopted action:

725.101 Amended  
 725.112 Amended  
 725.113 Amended  
 725.170 Amended  
 725.171 Amended  
 725.298 Amended  
 725.301 Amended  
 725.414 Amended  
 725.933 Amended  
 725.934 Amended  
 725.963 Amended  
 725.964 Amended  
 725.985 Amended  
 725.986 Amended  
 725.988 Amended  
 725.989 Amended  
 725.990 Amended  
 725.1200 Added  
 725.1201 Added  
 725.1202 Added  
 725.Appendix F Amended

- 4) Statutory authority: 415 ILCS 5/22.4 and 27

- 5) Effective date of amendments: September 28, 1998

- 6) Does this rulemaking contain an automatic repeal date?: No

- 7) Do these amendments contain incorporations by reference? Yes

35 Ill. Adm. Code 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738, and 739. The text of Part 725 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations.

- 8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection and copying.

- 9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Reg. 9794

- 10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act (415 ILCS 5/22.4(a)) provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version: The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised Revision(s)

725.101(c)(1) Board Note Changed "above" to "of this Section"  
 725.101(c)(2) Changed ending punctuation to a semicolon  
 725.101(c)(4) Changed ending punctuation to a semicolon  
 725.101(c)(11)(A) Changed "below" to "of this Section"  
 724.101(c)(11)(A)(iv) Changed to plural "munitions"  
 725.101(c)(11)(C) Changed "above" to "of this Section"  
 725.101(c)(11)(D) Changed ending punctuation to a semicolon  
 725.112(b) Added closing parenthesis  
 725.113(c)(1) Deleted conjunction "and" at end  
 725.113(c)(1) Changed ending punctuation to a semicolon; and added conjunction "and" at end  
 725.301(c)(3) Changed "above" to "of this Section"  
 725.301(e)(1)(A) Changed ending punctuation to a colon; added "the following is true of the waste" at the end  
 725.933(e)(2) Changed equation from italic to standard text font; corrected indent level  
 725.933(e)(4) Changed equation from italic to standard text font; corrected indent level  
 725.933(e)(5) Changed equation from italic to standard text font; corrected indent level  
 725.933(f)(2)(A) Changed "g" to "percent"  
 725.933(f)(2)(B) Changed "g" to "percent"  
 725.933(f)(2)(D) Changed "g" to "percent"  
 725.933(f)(2)(F)(ii) Changed "g" to "percent"  
 725.933(h)(1) Changed equation from italic to standard text font; corrected indent level  
 725.934(c)(1)(D) Changed "above" to "of this Section"  
 725.963(c)(1) Changed "above" to "of this Section"  
 725.963(e) Changed "above" to "of this Section"



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 725.963(f) Changed "above" to "of this Section"
- 725.964(g)(6) Added period to subsection heading
- 725.964(a) Changed to singular "Section;" added comma to separate elements of a series
- 725.964(g)(2) Added period to subsection heading
- 725.964(g)(6) Changed "g" to "percent"
- 725.981 "in light material service" Changed "g" to "percent"
- 725.985(e)(1)(C)(iii) Changed "g" to "percent"
- 725.985(e)(3)(A) Changed "g" to "percent"
- 725.985(e)(3)(B)(i) Removed hyphen from "fixed roof"
- 725.985(f)(1)(C)(v) Changed "g" to "percent"
- 725.985(k) Changed to singular "subsection"
- 725.985(c)(1)(E) Changed "g" to "percent"
- 725.988(c)(1)(A) Changed "g" to "percent"
- 725.990(e) Corrected cross-reference from 725.983(c)(2)(vii) or 725.983(c)(2)(viii) to 725.983(c)(2)(G) or (c)(2)(H)"
- 725.1200 Board Note Changed references to "725.Subpart" to "Subpart" (three times)
- 725.1201(a) Removed unnecessary comma before "that"
- 725.1201(c) Changed references to "725.Subpart" to "Subpart" (twice)
- 725.1201(e) Removed redundant "inventoried"
- 725.1201(f) Corrected spelling of "inspect"
- 725.1202(a) Changed "which" to "that;" capitalized "Subpart;" changed references to "725.Subpart" to "Subpart"

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.

R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.

R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.

The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728 and 738. The following table briefly summarizes the federal actions in these periods:

61 Fed. Reg. 34251  
(July 1, 1996)

USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.

61 Fed. Reg. 36419  
(July 10, 1996)

USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.

61 Fed. Reg. 40520  
(August 5, 1996)

USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

61 Fed. Reg. 43927  
(August 26, 1996)

USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

61 Fed. Reg. 56631  
(November 4, 1996)

USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 CFR 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

61 Fed. Reg. 59931  
(November 25, 1996)

USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

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- 62 Fed. Reg. 1678  
(January 13, 1997)  
USEPA adopted a change in name and ownership of Envirote Corp.
- 62 Fed. Reg. 1834  
(January 14, 1997)  
USEPA amended the addresses for its Region V headquarters.
- 62 Fed. Reg. 1991  
(January 14, 1997)  
USEPA extended the national capacity variance for spent potliners from primary aluminum production (R088 waste) for 6 months.
- 62 Fed. Reg. 6621  
(February 12, 1997)  
USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.
- 62 Fed. Reg. 7502  
(February 19, 1997)  
USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.
- 62 Fed. Reg. 25998  
(May 12, 1997)  
USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.
- 62 Fed. Reg. 32452  
(June 13, 1997)  
USEPA amended the hazardous waste testing and monitoring regulations.
- 62 Fed. Reg. 32974  
(June 17, 1997)  
USEPA amended its hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal CFR correction of November 4, 1996, and the January 13, 1997, federal change in the Envirote hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

- 61 Fed. Reg. 34251  
(July 1, 1996)  
CESQG waste rules.
- 62 Fed. Reg. 1834  
(January 14, 1997)  
Amendments to USEPA addresses.
- 62 Fed. Reg. 6621  
(February 12, 1997)  
Military munitions rules.
- 62 Fed. Reg. 25998  
(May 12, 1997)  
Phase IV land disposal restriction amendments.

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- 62 Fed. Reg. 32452  
(June 13, 1997)  
Amended hazardous waste testing and monitoring rules.
- Specifically, the amendments to Part 725 implement segments of the February 12, 1997, military munitions rules and the June 13, 1997, hazardous waste testing and monitoring amendments.
- Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agyeman at 312-814-3620. Please refer to consolidated docket number R97-21/R98-3/R98-5.

The full text of the Adopted Amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE G: WASTE DISPOSAL

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 725

INTERIM STATUS STANDARDS FOR OWNERS AND  
OPERATORS OF HAZARDOUS WASTE TREATMENT,  
STORAGE, AND DISPOSAL FACILITIES

## SUBPART A: GENERAL PROVISIONS

Section	
725.101	Purpose, Scope and Applicability
725.104	Imminent Hazard Action

## SUBPART B: GENERAL FACILITY STANDARDS

Section	
725.110	Applicability
725.111	USEPA Identification Number
725.112	Required Notices
725.113	General Waste Analysis
725.114	Security
725.115	General Inspection Requirements
725.116	Personnel Training
725.117	General Requirements for Ignitable, Reactive, or Incompatible Wastes
725.118	Location Standards
725.119	Construction Quality Assurance Program

## SUBPART C: PREPAREDNESS AND PREVENTION

Section	
725.130	Applicability
725.131	Maintenance and Operation of Facility
725.132	Required Equipment
725.133	Testing and Maintenance of Equipment
725.134	Access to Communications or Alarm System
725.135	Required Aisle Space
725.137	Arrangements with Local Authorities

## SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section	
725.150	Applicability
725.151	Purpose and Implementation of Contingency Plan
725.152	Content of Contingency Plan
725.153	Copies of Contingency Plan

## POLLUTION CONTROL BOARD

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725.154	Amendment of Contingency Plan
725.155	Emergency Coordinator
725.156	Emergency Procedures

## SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section	
725.170	Applicability
725.171	Use of Manifest System
725.172	Manifest Discrepancies
725.173	Operating Record
725.174	Availability, Retention and Disposition of Records
725.175	Annual Report
725.176	Unmanifested Waste Report
725.177	Additional Reports

## SUBPART F: GROUNDWATER MONITORING

Section	
725.190	Applicability
725.191	Groundwater Monitoring System
725.192	Sampling and Analysis
725.193	Preparation, Evaluation and Response
725.194	Recordkeeping and Reporting

## SUBPART G: CLOSURE AND POST-CLOSURE

Section	
725.210	Applicability
725.211	Closure Performance Standard
725.212	Closure Plan; Amendment of Plan
725.213	Closure; Time Allowed for Closure
725.214	Disposal or Decontamination of Equipment, Structures and Soils
725.215	Certification of Closure
725.216	Survey Plat
725.217	Post-closure Care and Use of Property
725.218	Post-closure Plan; Amendment of Plan
725.219	Post-Closure Notices
725.220	Certification of Completion of Post-Closure Care

## SUBPART H: FINANCIAL REQUIREMENTS

Section	
725.240	Applicability
725.241	Definitions of Terms as Used in this Subpart
725.242	Cost Estimate for Closure
725.243	Financial Assurance for Closure
725.244	Cost Estimate for Post-closure Care



## POLLUTION CONTROL BOARD

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725.245 Financial Assurance for Post-closure Monitoring and Maintenance  
 725.246 Use of a Mechanism for Financial Assurance of Both Closure and Post-closure Care  
 725.247 Liability Requirements  
 725.248 Incapacity of Owners or Operators, Guarantors or Financial Institutions  
 725.251 Promulgation of Forms (Repealed)

## SUBPART I: USE AND MANAGEMENT OF CONTAINERS

Section  
 725.270 Applicability  
 725.271 Condition of Containers  
 725.272 Compatibility of Waste with Container  
 725.273 Management of Containers  
 725.274 Inspections  
 725.276 Special Requirements for Ignitable or Reactive Waste  
 725.277 Special Requirements for Incompatible Wastes  
 725.278 Air Emission Standards

## SUBPART J: TANK SYSTEMS

Section  
 725.290 Applicability  
 725.291 Assessment of Existing Tank System's Integrity  
 725.292 Design and Installation of New Tank Systems or Components  
 725.293 Containment and Detection of Releases  
 725.294 General Operating Requirements  
 725.295 Inspections  
 725.296 Response to leaks or spills and disposition of Tank Systems  
 725.297 Closure and Post-Closure Care  
 725.298 Special Requirements for Ignitable or Reactive Waste  
 725.299 Special Requirements for Incompatible Wastes  
 725.300 Waste Analysis and Trial Tests  
 725.301 Generators of 100 to 1000 Kilograms of Hazardous Waste Per Month/kg/mo  
 725.302 Air Emission Standards

## SUBPART K: SURFACE IMPOUNDMENTS

Section  
 725.320 Applicability  
 725.321 Design and Operating Requirements  
 725.322 Action Leakage Rate  
 725.323 Response Actions  
 724.324 Containment System  
 725.325 Waste Analysis and Trial Tests  
 725.326 Monitoring and Inspections  
 725.328 Closure and Post-closure Care

## POLLUTION CONTROL BOARD

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725.329 Special Requirements for Ignitable or Reactive Waste  
 725.330 Special Requirements for Incompatible Wastes  
 725.331 Air Emission Standards

## SUBPART L: WASTE PILES

Section  
 725.350 Applicability  
 725.351 Protection from Wind  
 725.352 Waste Analysis  
 725.353 Containment  
 725.354 Design and Operating Requirements  
 725.355 Action Leakage Rates  
 725.356 Special Requirements for Ignitable or Reactive Waste  
 725.357 Special Requirements for Incompatible Wastes  
 725.358 Closure and Post-closure Care  
 725.359 Response Actions  
 725.360 Monitoring and Inspection

## SUBPART M: LAND TREATMENT

Section  
 725.370 Applicability  
 725.372 General Operating Requirements  
 725.373 Waste Analysis  
 725.376 Food Chain Crops  
 725.378 Unsaturated Zone (Zone of Aeration) Monitoring  
 725.379 Recordkeeping  
 725.380 Closure and Post-closure  
 725.381 Special Requirements for Ignitable or Reactive Waste  
 725.382 Special Requirements for Incompatible Wastes

## SUBPART N: LANDFILLS

Section  
 725.400 Applicability  
 725.401 Design Requirements  
 725.402 Action Leakage Rate  
 725.403 Response Actions  
 725.404 Monitoring and Inspection  
 725.409 Surveying and Recordkeeping  
 725.410 Closure and Post-closure  
 725.412 Special Requirements for Ignitable or Reactive Waste  
 725.413 Special Requirements for Incompatible Wastes  
 725.414 Special Requirements for Liquid Wastes  
 725.415 Special Requirements for Containers  
 725.416 Disposal of Small Containers of Hazardous Waste in Overpacked Drums (Lab Packs)

## POLLUTION CONTROL BOARD

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## SUBPART O: INCINERATORS

Section	
725.440	Applicability
725.441	Waste Analysis
725.445	General Operating Requirements
725.447	Monitoring and Inspection
725.451	Closure
725.452	Interim Status Incinerators Burning Particular Hazardous Wastes

## SUBPART P: THERMAL TREATMENT

Section	
725.470	Other Thermal Treatment
725.473	General Operating Requirements
725.475	Waste Analysis
725.477	Monitoring and Inspections
725.481	Closure
725.482	Open Burning; Waste Explosives
725.483	Interim Status Thermal Treatment Devices Burning Particular Hazardous Waste

## SUBPART Q: CHEMICAL, PHYSICAL AND BIOLOGICAL TREATMENT

Section	
725.500	Applicability
725.501	General Operating Requirements
725.502	Waste Analysis and Trial Tests
725.503	Inspections
725.504	Closure
725.505	Special Requirements for Ignitable or Reactive Waste
725.506	Special Requirements for Incompatible Wastes

## SUBPART R: UNDERGROUND INJECTION

Section	
725.530	Applicability

## SUBPART W: DRIP PADS

Section	
725.540	Applicability
725.541	Assessment of existing drip pad integrity
725.542	Design and installation of new drip pads
725.543	Design and operating requirements
725.544	Inspections
725.545	Closure

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

Section	
725.930	Applicability
725.931	Definitions
725.932	Standards: Process Vents
725.933	Standards: Closed-Vent vent Systems and Control Devices
725.934	Test methods and procedures
725.935	Recordkeeping Requirements

## SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

Section	
725.950	Applicability
725.951	Definitions
725.952	Standards: Pumps in Light Liquid Service
725.953	Standards: Compressors
725.954	Standards: Pressure Relief Devices in Gas/Vapor Service
725.955	Standards: Sampling Connecting Systems
725.956	Standards: Open-ended Valves or Lines
725.957	Standards: Valves in Gas/Vapor or Light Liquid Service
725.958	Standards: Pumps, Valves, Pressure Relief Devices, Flanges and other Connectors
725.959	Standards: Delay of Repair
725.960	Standards: Closed-vent Systems and Control Devices
725.961	Percent Leakage Alternative for Valves
725.962	Skip Period Alternative for Valves
725.963	Test Methods and Procedures
725.964	Recordkeeping Requirements

## SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

Section	
725.980	Applicability
725.981	Definitions
725.982	Schedule for Implementation of Air Emission Standards
725.983	Standards: General
725.984	Waste Determination Procedures
725.985	Standards: Tanks
725.986	Standards: Surface Impoundments
725.987	Standards: Containers
725.988	Standards: Closed-Vent vent Systems and Control Devices
725.989	Inspection and Monitoring Requirements
725.990	Recordkeeping Requirements
725.991	Alternative Tank Emission Control Requirements (Repealed)

## SUBPART DD: CONTAINMENT BUILDINGS

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Section  
725.1100 Applicability  
725.1101 Design and operating standards  
725.1102 Closure and Post-Closure Care

SUBPART EE: HAZARDOUS WASTE MUNITIONS AND EXPLOSIVESSTORAGE

Section  
725.1200 Applicability  
725.1201 Design and Operating Standards  
725.1202 Closure and Post-Closure Care

APPENDIX A Recordkeeping Instructions  
APPENDIX B EPA Report Form and Instructions (Repealed)  
APPENDIX C EPA Interim Primary Drinking Water Standards  
APPENDIX D Tests for Significance  
APPENDIX E Examples of Potentially Incompatible Waste  
APPENDIX F Compounds With Henry's Law Constant Less Than 0.1 Y/X (at 25°C)

AUTHORITY: Implementing Sections 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 831, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R82-19, 53 PCB 131, at 7 Ill. Reg. 14034, effective October 12, 1983; amended in R84-9, at 9 Ill. Reg. 11869, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1085, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14069, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6044, effective March 24, 1987; amended in R86-46 at 11 Ill. Reg. 13489, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19338, effective November 10, 1987; amended in R87-26 at 12 Ill. Reg. 2485, effective January 15, 1988; amended in R87-39 at 12 Ill. Reg. 13027, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 437, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18354, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14447, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16498, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9398, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14534, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9578, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17672, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5681, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20620, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6771, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12190, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17548, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9566, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11078, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 369,

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effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7620, effective April 15, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17620, effective SEP 28 1998.

NOTE: In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets; and SUM means the summation series or sigma function as used in mathematics.

## SUBPART A: GENERAL PROVISIONS

## Section 725.101 Purpose, Scope and Applicability

a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste during the period of interim status and until certification of final closure or, if the facility is subject to post-closure requirements, until post-closure responsibilities are fulfilled.

b) Except as provided in Section 725.980(b), the standards in this Part and 35 Ill. Adm. Code 724.652 and 724.653 apply to owners and operators of facilities that treat, store, or dispose of hazardous waste that have fully complied with the requirements for interim status under Section 3005(e) of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6901 et seq.) and 35 Ill. Adm. Code 703, until either a permit is issued under Section 3005 of the Resource Conservation and Recovery Act or Section 21(f) of the Environmental Protection Act, or until applicable closure and post-closure responsibilities under this Part are fulfilled, and to those owners and operators of facilities in existence on November 19, 1980, that have failed to provide timely notification as required by Section 3010(a) of RCRA or that have failed to file Part A of the Permit Application, as required by 40 CFR 270.10(e) and (g) or 35 Ill. Adm. Code 703.150 and 703.152. These standards apply to all treatment, storage, or disposal of hazardous waste at these facilities after November 19, 1980, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721.

BOARD NOTE: As stated in Section 3005(a) of RCRA, after the effective date of regulations under that Section (i.e., 40 CFR 270 and 124) the treatment, storage, or disposal of hazardous waste is prohibited except in accordance with a permit. Section 3005(e) of RCRA provides for the continued operation of an existing facility that meets certain conditions until final administrative disposition of the owner's and operator's permit application is made. 35 Ill. Adm. Code 703.140 et seq. provide that a permit is deemed issued under Section 21(f)(1) of the Environmental Protection Act under conditions similar to federal interim status.

c) The requirements of this Part do not apply to:

- 1) A person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research



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and Sanctuaries Act (16 U.S.C. 1431-1434; 33 U.S.C. 1401);  
 BOARD NOTE: This Part applies to the treatment or storage of hazardous waste before it is loaded into an ocean vessel for incineration or disposal at sea, as provided in subsection (b) of this Section above.

2) This subsection corresponds with 40 CFR 265.1(c)(2), marked "reserved" by USEPA. This statement maintains structural consistency with USEPA rules;

3) The owner or operator of a POTW (publicly owned treatment works) that treats, stores or disposes of hazardous waste;

BOARD NOTE: The owner or operator of a facility under subsections (c)(1) and through (c)(3) is subject to the requirements of 35 Ill. Adm. Code 724 to the extent they are included in a permit by rule granted to such a person under 35 Ill. Adm. Code 702 and 703 or are required by 35 Ill. Adm. Code 704.Subpart F.

4) This subsection corresponds with 40 CFR 265.1(c)(4), which pertains exclusively to the applicability of the federal regulations in authorized states. There is no need for a parallel provision in the Illinois regulations. This statement maintains structural consistency with USEPA rules.

5) The owner or operator of a facility permitted, licensed, or registered by Illinois to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105;

6) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4), except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739;

7) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134, except to the extent the requirements are included in 35 Ill. Adm. Code 722.134;

8) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170;

9) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110;

10) The owner or operator of an elementary neutralization unit or a waste water treatment unit as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728.Table T or reactive (D003) waste in order to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 725.117(b);

11) Immediate response:

A) Except as provided in subsection (c)(11)(B) of this Section

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below, a person engaged in treatment or containment activities during immediate response to any of the following situations:

- i) A discharge of a hazardous waste;
- ii) An imminent and substantial threat of a discharge of a hazardous waste;
- iii) A discharge of a material that becomes a hazardous waste when discharged; or
- iv) An immediate threat to human health, public safety, property, or the environment from the known or suspected presence of military munitions, other explosives material, or an explosive device, as determined by an explosive or munitions emergency response specialist as defined in 35 Ill. Adm. Code 720.110.

B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 725.Subparts C and D.

C) Any person that is covered by subsection (c)(11)(A) of this Section above that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703, and 705 for those activities;

D) In the case of an explosives or munitions emergency response, if a federal, state, or local official acting within the scope of his or her official responsibilities or an explosives or munitions emergency response specialist determines that immediate removal of the material or waste is necessary to protect human health or the environment, that official or specialist may authorize the removal of the material or waste by transporters who do not have USEPA identification numbers and without the preparation of a manifest. In the case of emergencies involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of response, the responsible persons responding, the type and description of material addressed, and its disposition;

12) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less;

13) The addition of absorbent material to waste in a container (as defined in 35 Ill. Adm. Code 720.110) or the addition of waste to the absorbent material in a container, provided that these actions occur at the time that the waste is first placed in the containers and Sections 725.117(b), 725.271, and 725.272 are complied with;

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14) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:

- A) Batteries, as described in 35 Ill. Adm. Code 733.102;
- B) Pesticides, as described in 35 Ill. Adm. Code 733.103;
- C) Thermostats, as described in 35 Ill. Adm. Code 733.104; and
- D) Mercury-containing lamps, as described in 35 Ill. Adm. Code 733.107.

**BOARD NOTE:** Subsection (c)(14)(D) of this Section was added pursuant to Section 22.23a of the Act (415 ILCS 5/22.23a) (see P.A. 90-502, effective August 19, 1997).

d) The following hazardous wastes must not be managed at facilities subject to regulation under this Part: hazardous waste numbers F020, F021, F022, F023, F026, or F027 unless:

- 1) The waste water treatment sludge is generated in a surface impoundment as part of the plant's waste water treatment system;
  - 2) The waste is stored in tanks or containers;
  - 3) The waste is stored or treated in waste piles that meet the requirements of 35 Ill. Adm. Code 724.350(c) and all other applicable requirements of 725.Subpart L;
  - 4) The waste is burned in incinerators that are certified pursuant to the standards and procedures in Section 725.452; or
  - 5) The waste is burned in facilities that thermally treat the waste in a device other than an incinerator and that are certified pursuant to the standards and procedures in Section 725.483.
- e) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728, and the 35 Ill. Adm. Code 728 standards are considered material conditions or requirements of the interim status standards of this Part.

f) 35 Ill. Adm. Code 726.505 identifies when the requirements of this Part apply to the storage of military munitions classified as solid waste under 35 Ill. Adm. Code 726.302. The treatment and disposal of hazardous waste military munitions are subject to the applicable permitting, procedural, and technical standards in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728.

g) Other bodies of regulations may apply a person, facility, or activity, such as 35 Ill. Adm. Code 809 (special waste hauling), 35 Ill. Adm. Code 807 or 810 through 817 (solid waste landfills), 35 Ill. Adm. Code 848 or 849 (used and scrap tires), or 35 Ill. Adm. Code 1420 through 1422 (potentially infectious medical waste), depending on the provisions of those other regulations.

(Source: Amended SEP 28 1998 22 Ill. Reg. 17620, effective

SUBPART B: GENERAL FACILITY STANDARDS

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## Section 725.112 Required Notices

a) Receipt from a foreign source.

- 1) The owner or operator of a facility that has arranged to receive hazardous waste from a foreign source must notify the Regional Administrator in writing at least four weeks in advance of the date that the waste is expected to arrive at the facility. Notice of subsequent shipments of the same waste from the same foreign source is not required.

- 2) The owner or operator of a recovery facility that has arranged to receive hazardous waste subject to 35 Ill. Adm. Code 722.Subpart H must provide a copy of the tracking document bearing all required signatures to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Compliance, Environmental Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M St., SW, Washington, DC 20460; to the Bureau of Land, Division of Land Pollution Control, Illinois Environmental Protection Agency, P.O. Box 19276, Springfield, IL 62794-9276; and to the competent authorities of all other concerned countries within three working days of receipt of the shipment. The original of the signed tracking document must be maintained at the facility for at least three years.

- b) Before transferring ownership or operation of a facility during its operating life, or of a disposal facility during the post-closure care period, the owner or operator must notify the new owner or operator in writing of the requirements of this Part and 35 Ill. Adm. Code 702 and 703 (also ~~also~~ see 40 35 Ill. Adm. Code 703.155).

**BOARD NOTE:** An owner's or operator's failure to notify the new owner or operator of the requirements of this Part in no way relieves the new owner or operator of his obligation to comply with all applicable requirements.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998)

## Section 725.113 General Waste Analysis

a) Waste analysis:

- 1) Before an owner or operator treats, stores, or disposes of any hazardous waste, or non-hazardous waste if applicable under Section 725.213(d), the owner or operator shall obtain a detailed chemical and physical analysis of a representative sample of the waste. At a minimum, the analysis must contain all the information that must be known to treat, store, or dispose of the waste in accordance with this Part and 35 Ill. Adm. Code 728.

- 2) The analysis may include data developed under 35 Ill. Adm. Code 721 and existing published or documented data on the hazardous waste or on waste generated from similar processes.



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**BOARD NOTE:** For example, the facility's record of analyses performed on the waste before the effective date of these regulations or studies conducted on hazardous waste generated from processes similar to that which generated the waste to be managed at the facility may be included in the data base required to comply with subsection (a)(1) of this Section, except as otherwise specified in 35 Ill. Adm. Code 728.107(b) and (c). The owner or operator of an off-site facility may arrange for the generator of the hazardous waste to supply part or all of the information required by subsection (a)(1) of this Section. If the generator does not supply the information and the owner or operator chooses to accept a hazardous waste, the owner or operator is responsible for obtaining the information required to comply with this Section.

- 3) The analysis must be repeated as necessary to ensure that it is accurate and up to date. At a minimum, the analysis must be repeated:

- A) When the owner or operator is notified or has reason to believe that the process or operation generating the hazardous waste, or non-hazardous waste if applicable under Section 725.213(d), has changed; and
- B) For off-site facilities, when the results of the inspection required in subsection (a)(4) of this Section indicate that the hazardous waste received at the facility does not match the waste designated on the accompanying manifest or shipping paper.

- 4) The owner or operator of an off-site facility shall inspect and, if necessary, analyze each hazardous waste movement received at the facility to determine whether it matches the identity of the waste specified on the accompanying manifest or shipping paper.

- b) The owner or operator shall develop and follow a written waste analysis plan that describes the procedures that the owner or operator will carry out to comply with subsection (a) of this Section. The owner or operator shall keep this plan at the facility. At a minimum, the plan must specify:

- 1) The parameters for which each hazardous waste, or non-hazardous waste if applicable under Section 725.213(d), will be analyzed and the rationale for the selection of these parameters (i.e., how analysis for these parameters will provide sufficient information on the waste's properties to comply with subsection (a) of this Section.

- 2) The test methods that will be used to test for these parameters.

- 3) The sampling method that will be used to obtain a representative sample of the waste to be analyzed. A representative sample may be obtained using either:

- A) One of the sampling methods described in 35 Ill. Adm. Code 721.Appendix A, or
- B) An equivalent sampling method.

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**BOARD NOTE:** See 35 Ill. Adm. Code 720.120(c) for related discussion.

- 4) The frequency with which the initial analysis of the waste will be reviewed or repeated to ensure that the analysis is accurate and up-to-date.

- 5) For off-site facilities, the waste analysis that hazardous waste generators have agreed to supply.

- 6) Where applicable, the methods that will be used to meet the additional waste analysis requirements for specific waste management methods, as specified in Sections 725.300, 725.325, 725.352, 725.373, 725.414, 725.441, 725.475, 725.502, 725.934(d), 725.963(d), and 725.984, and 35 Ill. Adm. Code 728.107.

- 7) For surface impoundments exempted from land disposal restrictions under 35 Ill. Adm. Code 728.104(a), the procedures and schedules for:

- A) The sampling of impoundment contents;

- B) The analysis of test data; and

- C) The annual removal of residues that are not delisted under 35 Ill. Adm. Code 720.122 or that exhibit a characteristic of hazardous waste and either:

- i) Do not meet the applicable standards of 35 Ill. Adm.

- ii) Where no treatment standards have been

- established: Such residues are prohibited from land disposal under 35 Ill. Adm. Code 728.132 or 728.139.

- 8) For owners and operators seeking an exemption to the air emission standards of 724.Subpart CC in accordance with Section 725.983:

- A) If direct measurement is used for the waste determination, the procedures and schedules for waste sampling and analysis, and the analysis of test data to verify the exemption.

- B) If knowledge of the waste is used for the waste determination, any information prepared by the facility owner or operator, or by the generator of the waste if the waste is received from ~~form~~ off-site, that is used as the basis for knowledge of the waste.

- c) For off-site facilities, the waste analysis plan required in subsection (b) of this Section must also specify the procedures that will be used to inspect and, if necessary, analyze each movement of hazardous waste received at the facility to ensure that it matches the identity of the waste designated on the accompanying manifest or shipping paper. At a minimum, the plan must describe:

- 1) The procedures that will be used to determine the identity of each movement of waste managed at the facility; and
- 2) The sampling method that will be used to obtain a representative sample of the waste to be identified if the identification method includes sampling; and

- 3) The procedures that the owner or operator of an off-site landfill



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receiving containerized hazardous waste will use to determine whether a hazardous waste generator or transporter has added a biodegradable sorbent to the waste in the container.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998.)

## SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

## Section 725.170 Applicability

The regulations in this subpart apply to owners and operators of both on-site and off-site facilities, except as Section 725.101 provides otherwise. Sections 725.171, 725.172 and 725.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources, nor do they apply to owners and operators of off-site facilities with respect to waste military munitions exempted from manifest requirements under 35 Ill. Adm. Code 726.303(a).

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998.)

## Section 725.171 Use of Manifest System

a) If a facility receives hazardous waste accompanied by a manifest, the owner or operator or his agent must:

- 1) Sign and date each copy of the manifest to certify that the hazardous waste covered by the manifest was received;
  - 2) Note any significant discrepancies in the manifest, as defined in Section 725.172(a), on each copy of the manifest;
- BOARD NOTE: An owner or operator of a facility whose procedures under Section 725.113(c) include waste analysis need not perform that analysis before signing the manifest and giving it to the transporter. Section 725.172(b), however, requires the owner or operator to report any unreconciled discrepancy discovered during later analysis.

3) Immediately give the transporter at least one copy of the signed manifest;

4) Send a copy of the manifest to each of the generator and the Agency within 30 days of the date of delivery; and

5) Retain at the facility a copy of each manifest for at least three years from the date of delivery.

b) If a facility receives from a rail or water (bulk shipment) transporter hazardous waste that is accompanied by a shipping paper containing all the information required on the manifest (excluding the USEPA identification numbers, generator's certification and signatures), the owner or operator or its agent must:

- 1) Sign and date each copy of the manifest or shipping paper (if the

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manifest has not been received) to certify that the hazardous waste covered by the manifest or shipping paper was received;

2) Note any significant discrepancies, as defined in Section 725.172(a), in the manifest or shipping paper (if the manifest has not been received) on each copy of the manifest or shipping paper;

BOARD NOTE: The owner or operator of a facility whose procedures under Section 725.113(c) include waste analysis need not perform that analysis before signing the shipping paper and giving it to the transporter. Section 725.172(b), however, requires reporting an unreconciled discrepancy discovered during later analysis.

3) Immediately give the rail or water (bulk shipment) transporter at least one copy of the manifest or shipping paper (if the manifest has not been received);

4) Send a copy of the signed and dated manifest to the generator and to the Agency within 30 days after the delivery; however, if the manifest has not been received within 30 days after delivery, the owner or operator, or his agent, must send a copy of the shipping paper signed and dated to the generator; and

BOARD NOTE: 35 Ill. Adm. Code 722.123(c) requires the generator to send three copies of the manifest to the facility when hazardous waste is sent by rail or water (bulk shipment).

5) Retain at the facility a copy of the manifest and shipping paper (if signed in lieu of the manifest at the time of delivery) for at least three years from the date of delivery.

c) Whenever a shipment of hazardous waste is initiated from a facility, the owner or operator of that facility must comply with the requirements of 35 Ill. Adm. Code 722.

BOARD NOTE: The provisions of 35 Ill. Adm. Code 722.134 are applicable to the on-site accumulation of hazardous wastes by generators. Therefore, the provisions of 35 Ill. Adm. Code 722.134 apply only to owners or operators that are shipping hazardous waste that they generated at that facility.

d) Within three working days of the receipt of a shipment subject to 35 Ill. Adm. Code 722-Subpart H, the owner or operator of the facility must provide a copy of the tracking document bearing all required signatures to the notifier; to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M St., SW, Washington, DC 20460; to the Bureau of Land, Division of Land Pollution Control, Illinois Environmental Protection Agency, P.O. Box 19276, Springfield, IL 62794-9276; and to competent authorities of all other concerned countries. The original copy of the tracking document must be maintained at the facility for at least three years from the date of signature.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998.)

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## SUBPART J: TANK SYSTEMS

## Section 725.298 Special Requirements for Ignitable or Reactive Waste

a) Ignitable or reactive waste must not be placed in a tank system, unless:

1) The waste is treated, rendered or mixed before or immediately after placement in the tank system so that

A) The resulting waste, mixture or dissolved material no longer meets the definition of ignitable or reactive waste under 35 Ill. Adm. Code 721.121 or 721.123 and

B) Section 725.117(b) is complied with; or

2) The waste is stored or treated in such a way that it is protected from any material or conditions which may cause the waste to ignite or react; or

3) The tank system is used solely for emergencies.

b) The owner or operator of a facility where ignitable or reactive waste is stored or tested in tanks shall comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys or an adjoining property line that can be built upon as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code," NFPA 30, incorporated by reference, in 35 Ill. Adm. Code Section 720.111).

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998)

## Section 725.301 Generators of 100 to 1000 Kilograms of Hazardous Waste Per Month kg/mo

a) The requirements of this Section apply to small quantity generators that generate more than 100 kg but less than 1000 kg of hazardous waste in a calendar month, that accumulate hazardous waste in tanks for less than 180 days (or 270 days if the generator must ship the waste greater than 200 miles), and that do not accumulate over 6,000 kg on-site at any time.

b) A generator of between 100 and 1000 kg/mo hazardous waste shall comply with the following general operating requirements:

1) Treatment or storage of hazardous waste in tanks must comply with Section 725.117(b);

2) Hazardous wastes or treatment reagents must not be placed in a tank if they could cause the tank or its inner liner to rupture, leak, corrode, or otherwise fail before the end of its intended life;

3) Uncovered tanks must be operated to ensure at least 60 centimeters (2 feet) of freeboard unless the tank is equipped with a containment structure (e.g., dike or trench), a drainage

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control system, or a diversion structure (e.g., standby tank) with a capacity that equals or exceeds the volume of the top 60 centimeters (2 feet) of the tank; and

4) Where hazardous waste is continuously fed into a tank, the tank must be equipped with a means to stop this inflow (e.g., waste feed cutoff system or by-pass system to a stand-by tank).

BOARD NOTE: These systems are intended to be used in the event of a leak or overflow from the tank due to a system failure (e.g., a malfunction in the treatment process, a crack in the tank, etc.).

c) A generator of between 100 and 1000 kg/mo accumulating hazardous waste in tanks shall inspect, where present:

1) Discharge control equipment (e.g., waste feed cutoff systems, by-pass systems, and drainage systems) at least once each operating day, to ensure that it is in good working order;

2) Data gathered from monitoring equipment (e.g., pressure and temperature gauges) at least once each operating day to ensure that the tank is being operated according to its design;

3) The level of waste in the tank at least once each operating day to ensure compliance with subsection (b)(3) of this Section above;

4) The construction materials of the tank at least weekly to detect corrosion or leaking of fixtures or seams; and

5) The construction materials of and the area immediately surrounding discharge confinement structures (e.g., dikes) at least weekly to detect erosion or obvious signs of leakage (e.g., wet spots or dead vegetation).

BOARD NOTE: As required by Section 725.115(c), the owner or operator must remedy any deterioration or malfunction the owner or operator finds.

d) A generator of between 100 and 1000 kg/mo accumulating hazardous waste in tanks shall, upon closure of the facility, remove all hazardous waste from tanks, discharge control equipment and discharge confinement structures.

BOARD NOTE: At closure, as throughout the operating period, unless the owner or operator demonstrates, in accordance with 35 Ill. Adm. Code 721.103(d) or (e), that any solid waste removed from the tank is not a hazardous waste, the owner or operator becomes a generator of hazardous waste and must manage it in accordance with all applicable requirements of 35 Ill. Adm. Code 722, 723, and 725.

e) A generator of between 100 and 1000 kg/mo shall comply with the following special requirements for ignitable or reactive waste:

1) Ignitable or reactive waste must not be placed in a tank unless:

A) The waste is treated, rendered, or mixed before or immediately after placement in a tank so that the following is true of the waste:

i) The resulting waste, mixture, or dissolution of material no longer meets the definition of ignitable or

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reactive waste under 35 Ill. Adm. Code 721.121 or 721.123, and

ii) Section 725.117(b) is complied with;

B) The waste is stored or treated in such a way that it is protected from any material or conditions that may cause the waste to ignite or react; or

C) The tank is used solely for emergencies.

2) The owner or operator of a facility that treats or stores ignitable or reactive waste in covered tanks shall comply with the buffer zone requirements for tanks contained in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code," NFPA 30, incorporated by reference in 35 Ill. Adm. Code 720.111.

f) A generator of between 100 and 1000 kg/mo shall comply with the following special requirements for incompatible wastes:

1) Incompatible wastes or incompatible wastes and materials (see Appendix E for examples) must not be placed in the same tank unless Section 725.117(b) is complied with.

2) Hazardous waste must not be placed in an unwashed tank that previously held an incompatible waste or material unless Section 725.117(b) is complied with.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1988)

## SUBPART N: LANDFILLS

## Section 725.414 Special Requirements for Liquid Wastes

a) This subsection corresponds with 40 CFR 265.314(a), which pertains to the placement of bulk or non-containerized liquid waste or waste containing free liquids in a landfill prior to May 8, 1985. This statement maintains structural consistency with USEPA rules.

b) The placement of bulk or non-containerized liquid hazardous waste or hazardous waste containing free liquids (whether or not sorbents have been added) in any landfill is prohibited.

c) Containers holding free liquids must not be placed in a landfill unless:

1) All free-standing liquid:

A) has been removed by decanting, or other methods; or

B) has been mixed with sorbent or solidified so that free-standing liquid is no longer observed; or

C) has been otherwise eliminated; or

2) The container is very small, such as an ampule; or

3) The container is designed to hold free liquids for use other than storage, such as a battery or capacitor; or

4) The container is a lab pack as defined in Section 724.416 and is disposed of in accordance with Section 724.416.

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d) To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test), as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods", USEPA Publication No. SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111.

e) The placement of any liquid liquids that is not a hazardous waste in a landfill is prohibited (35 Ill. Adm. Code 729.311).

f) Sorbents used to treat free liquids to be disposed of in landfills must be nonbiodegradable. Nonbiodegradable sorbents are: materials listed or described in subsection (f)(1) of this Section; materials that pass one of the tests in subsection (f)(2) of this Section; or materials that are determined by the Board to be nonbiodegradable through the 35 Ill. Adm. Code 106 adjusted standard process.

1) Nonbiodegradable sorbents are:

A) Inorganic materials, other inorganic materials, and elemental carbon (e.g., aluminosilicates, clays, smectites, Fuller's earth, bentonite, calcium bentonite, montmorillonite, calcined montmorillonite, kaolinite, micas (illite), vermiculites, zeolites; calcium carbonate (organic free limestone); oxides/hydroxides, alumina, lime, silica (sand), diatomaceous earth; perlite (volcanic glass); expanded volcanic rock; volcanic ash; cement kiln dust; fly ash; rice hull ash; activated charcoal/activated carbon); or

B) High molecular weight synthetic polymers (e.g., polyethylene, high density polyethylene (HDPE), polypropylene, polystyrene, polyurethane, polyacrylate, polynorborene, polyisobutylene, ground synthetic rubber, cross-linked allylstyrene and tertiary butyl copolymers). This does not include polymers derived from biological material or polymers specifically designed to be degradable; or

C) Mixtures of these nonbiodegradable materials.

2) Tests for nonbiodegradable sorbents.

A) The sorbent material is determined to be nonbiodegradable under ASTM Method G21-70 (1984a)--"Standard Practice for Determining Resistance of Synthetic Polymer Materials to Fungi", incorporated by reference in 35 Ill. Adm. Code 720.111;

B) The sorbent material is determined to be nonbiodegradable under ASTM Method G22-76 (1984b)--"Standard Practice for Determining Resistance of Plastics to Bacteria", incorporated by reference in 35 Ill. Adm. Code 720.111; or

C) The sorbent material is determined to be non-biodegradable under OECD test 301B (CO[2] Evolution (Modified Sturm Test)), incorporated by reference in 35 Ill. Adm. Code 720.111.



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(Source: Amended at 22 Ill. Reg. **17620**, effective **SEP 28 1998**)

## SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

## Section 725.933 Standards: Closed-Vent vent Systems and Control Devices

- a) Compliance Required.
- 1) Owners or operators of closed-vent systems and control devices used to comply with provisions of this Part shall comply with the provisions of this Section.
  - 2) The owner or operator of an existing facility that cannot install a closed-vent system and control device to comply with the provisions of this Subpart on the effective date that the facility becomes subject to the provisions of this Subpart shall prepare an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The controls must be installed as soon as possible, but the implementation schedule may allow up to 30 months after the effective date that the facility becomes subject to this Subpart for installation and startup. All units that begin operation after December 21, 1990, must comply with the rules immediately (i.e., must have control devices installed and operating on startup of the affected unit); the 2-year implementation schedule does not apply to these units.
  - b) A control device involving vapor recovery (e.g., a condenser or adsorber) must be designed and operated to recover the organic vapors vented to it with an efficiency of 95 weight percent or greater unless the total organic emission limits of Section 725.932(a)(1) for all affected process vents is attained at an efficiency less than 95 weight percent.
  - c) An enclosed combustion device (e.g., a vapor incinerator, boiler, or process heater) must be designed and operated to reduce the organic emissions vented to it by 95 weight percent or greater; to achieve a total organic compound concentration of 20 ppmv, expressed as the sum of the actual compounds, not carbon equivalents, on a dry basis corrected to three percent oxygen; or to provide a minimum residence time of 0.50 seconds at a minimum temperature of 760° C. If a boiler or process heater is used as the control device, then the vent stream must be introduced into the flame combustion zone of the boiler or process heater.
  - d) Flares.
    - 1) A flare must be designed for and operated with no visible emissions as determined by the methods specified in subsection (e)(1) of this Section except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.
    - 2) A flare must be operated with a flame present at all times, as determined by the methods specified in subsection (f)(2)(c) of

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- this Section.
- 3) A flare must be used only if the net heating value of the gas being combusted is 11.2 MJ/scm (300 Btu/scf) or greater if the flare is steam-assisted or air-assisted, or if the net heating value of the gas being combusted is 7.45 MJ/scm (200 Btu/scf) or greater if the flare is nonassisted. The net heating value of the gas being combusted must be determined by the methods specified in subsection (e)(2) of this Section.
  - 4) Exit Velocity.
    - A) A steam-assisted or nonassisted flare must be designed for and operated with an exit velocity, as determined by the methods specified in subsection (e)(3) of this Section, less than 18.3 m/s (60 ft/s), except as provided in subsections (d)(4)(B) and (d)(4)(C) of this Section.
    - B) A steam-assisted or nonassisted flare designed for and operated with an exit velocity, as determined by the methods specified in subsection (e)(3) of this Section, equal to or greater than 18.3 m/s (60 ft/s) but less than 122 m/s (400 ft/s) is allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1000 Btu/scf).
    - C) A steam-assisted or nonassisted flare designed for and operated with an exit velocity, as determined by the methods specified in subsection (e)(3) of this Section, less than the velocity, V as determined by the method specified in subsection (e)(4) and less than 122 m/s (400 ft/s) is allowed.
  - 5) An air-assisted flare must be designed and operated with an exit velocity less than the velocity, V as determined by the method specified in subsection (e)(5) of this Section.
  - 6) A flare used to comply with this Section must be steam-assisted, air-assisted, or nonassisted.
  - e) Compliance determination and equations.
    - 1) Reference Method 22 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111, must be used to determine the compliance of a flare with the visible emission provisions of this Subpart. The observation period is 2 hours and must be used according to Method 22.
    - 2) The net heating value of the gas being combusted in a flare must be calculated using the following equation:

$$H[T] = K \sum_{i=1}^n C[i] \times H[i]$$

Where:

$H[T]$  is the net heating value of the sample in MJ/scm; where the net enthalpy per mole of off-gas is based on combustion

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at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to 1 mole is 20°C.

$K = 1.74 \times 10^{(-7)} (1/\text{ppm})$  (gmol/scm) (MJ/kcal) where the standard temperature for (gmol/scm) is 20°C.

Sum  $S \sum X[i]$  means the sum of the values of  $X$  for each component  $i$ , from  $i=1$  to  $n$ .

$C[i]$  is the concentration of sample component  $i$  in ppm on a wet basis, as measured for organics by Reference Method 18 in 40 CFR 60, and for carbon monoxide, by ASTM D 1946-90, incorporated by reference in 35 Ill. Adm. Code 720.111.

$H[i]$  is the net heat of combustion of sample component  $i$ , kcal/gmol at 25°C and 760 mm Hg. The heats of combustion must be determined using ASTM D 2382-88, incorporated by reference in 35 Ill. Adm. Code 720.111, if published values are not available or cannot be calculated.

3) The actual exit velocity of a flare must be determined by dividing the volumetric flow rate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

4) The maximum allowed velocity in m/s,  $V$  for a flare complying with subsection (d)(4)(C) of this Section must be determined by the following equation:

$$\log[10] (V[\max]) = \frac{H[T] + 28.8}{31.7}$$

Where:

$\log_{\text{base}}[10]$  means logarithm to the base 10

$H[T]$  is the net heating value as determined in subsection (e)(2) of this Section.

5) The maximum allowed velocity in m/s,  $V$  for an air-assisted flare must be determined by the following equation:

$$V = 8.706 + 0.7084 H[T]$$

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Where:

$H[T]$  is the net heating value as determined in subsection (e)(2) of this Section.

f) The owner or operator shall monitor and inspect each control device required to comply with this Section to ensure proper operation and maintenance of the control device by implementing the following requirements:

1) Install, calibrate, maintain, and operate according to the manufacturer's specifications a flow indicator that provides a record of vent stream flow from each affected process vent to the control device at least once every hour. The flow indicator sensor must be installed in the vent stream at the nearest feasible point to the control device inlet but before being combined with other vent streams.

2) Install, calibrate, maintain, and operate according to the manufacturer's specifications a device to continuously monitor control device operation as specified below:

A) For a thermal vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device must have accuracy of  $\pm 1$  percent % of the temperature being monitored in °C or  $\pm 0.5^\circ\text{C}$ , whichever is greater. The temperature sensor must be installed at a location in the combustion chamber downstream of the combustion zone.

B) For a catalytic vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature at two locations and have an accuracy of  $\pm 1$  percent % of the temperature being monitored in °C or  $\pm 0.5^\circ\text{C}$ , whichever is greater. One temperature sensor must be installed in the vent stream at the nearest feasible point to the catalyst bed inlet and a second temperature sensor must be installed in the vent stream at the nearest feasible point to the catalyst bed outlet.

C) For a flare, a heat sensing monitoring device equipped with a continuous recorder that indicates the continuous ignition of the pilot flame.

D) For a boiler or process heater having a design heat input capacity less than 44 MW, a temperature monitoring device equipped with a continuous recorder. The device must have an accuracy of  $\pm 1$  percent % of the temperature being monitored in °C or  $\pm 0.5^\circ\text{C}$ , whichever is greater. The temperature sensor must be installed at a location in the furnace downstream of the combustion zone.

E) For a boiler or process heater having a design heat input capacity greater than or equal to 44 MW, a monitoring device equipped with a continuous recorder to measure parameters

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that indicate good combustion operating practices are being used.

- F) For a condenser, either:
  - i) A monitoring device equipped with a continuous recorder to measure the concentration level of the organic compounds in the exhaust vent stream from the condenser; or
  - ii) A temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature with an accuracy of  $\pm 1$  percent of the temperature being monitored in degrees Celsius ( $^{\circ}\text{C}$ ) or  $\pm 0.5^{\circ}\text{C}$ , whichever is greater. The temperature sensor must be installed at a location in the exhaust vent stream from the condenser exit (i.e., product side).
- G) For a carbon adsorption system such as a fixed-bed carbon adsorber that regenerates the carbon bed directly in the control device, either:
  - i) A monitoring device equipped with a continuous recorder to measure the concentration level of the organic compounds in the exhaust vent stream from the carbon bed; or
  - ii) A monitoring device equipped with a continuous recorder to measure a parameter that indicates the carbon bed is regenerated on a regular, predetermined time cycle.
- 3) Inspect the readings from each monitoring device required by subsections (f)(1) and (f)(2) of this Section at least once each operating day to check control device operation and, if necessary, immediately implement the corrective measures necessary to ensure the control device operates in compliance with the requirements of this Section.
- g) An owner or operator using a carbon adsorption system such as a fixed-bed carbon adsorber that regenerates the carbon bed directly on-site in the control device shall replace the existing carbon in the control device with fresh carbon at a regular, predetermined time interval that is no longer than the carbon service life established as a requirement of Section 725.935(b)(4)(C)(vi).
- h) An owner or operator using a carbon adsorption system such as a carbon canister that does not regenerate the carbon bed directly on-site in the control device shall replace the existing carbon in the control device with fresh carbon on a regular basis by using one of the following procedures:
  - 1) Monitor the concentration level of the organic compounds in the exhaust vent stream from the carbon adsorption system on a regular schedule, and replace the existing carbon with fresh carbon immediately when carbon breakthrough is indicated. The monitoring frequency must be daily or at an interval no greater

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than 20 percent of the time required to consume the total carbon working capacity established as a requirement of Section 725.935(b)(4)(C)(vii), whichever is longer.

- 2) Replace the existing carbon with fresh carbon at a regular, predetermined time interval that is less than the design carbon replacement interval established as a requirement of Section 725.935(b)(4)(C)(vii).
- i) An owner or operator of an affected facility seeking to comply with the provisions of this Part by using a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system is required to develop documentation including sufficient information to describe the control device operation and identify the process parameter or parameters that indicate proper operation and maintenance of the control device.
- j) A closed-vent closed-vent system must meet either of the following design requirements:
  - 1) A closed-vent system must be designed to operate with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, as determined by the methods specified at Section 725.934(b), and by visual inspections; or
  - 2) A closed-vent system must be designed to operate at a pressure below atmospheric pressure. The system must be equipped with at least one pressure gauge or other pressure measurement device that can be read from a readily accessible location to verify that negative pressure is being maintained in the closed-vent system when the control device is operating.
- k) The owner or operator shall monitor and inspect each closed-vent system required to comply with this Section to ensure proper operation and maintenance of the closed-vent system by implementing the following requirements:
  - 1) Each closed-vent system that is used to comply with subsection (j)(1) of this Section shall be inspected and monitored in accordance with the following requirements:
    - A) An initial leak detection monitoring of the closed-vent system shall be conducted by the owner or operator on or before the date that the system becomes subject to this Section. The owner or operator shall monitor the closed-vent system components and connections using the procedures specified in Section 725.934(b) to demonstrate that the closed-vent system operates with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background.
    - B) After initial leak detection monitoring required in subsection (k)(1)(A) of this Section, the owner or operator shall inspect and monitor the closed-vent system as follows:
      - i) Closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g.,



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a welded joint between two sections of hard piping or a bolted and gasketed ducting flange) must be visually inspected at least once per year to check for defects that could result in air pollutant emissions. The owner or operator shall monitor a component or connection using the procedures specified in Section 725.934(b) to demonstrate that it operates with no detectable emissions following any time the component is repaired or replaced (e.g., a section of damaged hard piping is replaced with new hard piping) or the connection is unsealed (e.g., a flange is unbolted).

ii) Closed-vent system components or connections other than those specified in subsection (k)(1)(B)(i) of this Section must be monitored annually and at other times as requested by the Regional Administrator, except as provided for in subsection (n) of this Section, using the procedures specified in Section 725.934(b) to demonstrate that the components or connections operate with no detectable emissions.

C) In the event that a defect or leak is detected, the owner or operator shall repair the defect or leak in accordance with the requirements of subsection (k)(3) of this Section.

D) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in Section 725.935.

2) Each closed-vent system that is used to comply with subsection (j)(2) of this Section must be inspected and monitored in accordance with the following requirements:

A) The closed-vent system must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork or piping or loose connections.

B) The owner or operator shall perform an initial inspection of the closed-vent system on or before the date that the system becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year.

C) In the event that a defect or leak is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k)(3) of this Section.

D) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in Section 725.935.

3) The owner or operator shall repair all detected defects as follows:

A) Detectable emissions, as indicated by visual inspection or by an instrument reading greater than 500 ppmv above

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background, must be controlled as soon as practicable, but not later than 15 calendar days after the emission is detected, except as provided for in subsection (k)(3)(C) of this Section.

B) A first attempt at repair must be made no later than five calendar days after the emission is detected.

C) Delay of repair of a closed-vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment must be completed by the end of the next process unit shutdown.

D) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in Section 725.935.

1) A closed-vent system or control device used to comply with provisions of this Subpart must be operated at all times when emissions may be vented to it.

m) The owner or operator using a carbon adsorption system to control air pollutant emissions shall document that all carbon removed that is a hazardous waste and that is removed from the control device is managed in one of the following manners, regardless of the volatile organic concentration of the carbon:

1) It is regenerated or reactivated in a thermal treatment unit that meets one of the following:

A) The owner or operator of the unit has been issued a final permit under 35 Ill. Adm. Code 702, 703, and 705 that implements the requirements of 35 Ill. Adm. Code 724.Subpart X; or

B) The unit is equipped with and operating air emission controls in accordance with the applicable requirements of 725.Subparts AA and CC or 35 Ill. Adm. Code 724; or

C) The unit is equipped with and operating air emission controls in accordance with a national emission standard for hazardous air pollutants under 40 CFR 61 or 40 CFR 63.

2) It is incinerated in a hazardous waste incinerator for which the owner or operator has done either of the following:

A) The owner or operator has been issued a final permit under 35 Ill. Adm. Code 702, 703, and 705 that implements the requirements of 35 Ill. Adm. Code 724.Subpart O, or

B) The owner or operator has designed and operates the incinerator in accordance with the interim status requirements of 725.Subpart O.

3) It is burned in a boiler or industrial furnace for which the owner or operator has done either of the following:

A) The owner or operator has been issued a final permit under

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- 35 Ill. Adm. Code 702, 703, and 705 that implements the requirements of 35 Ill. Adm. Code 726.Subpart H, or
- B) The owner or operator has designed and operates the boiler or industrial furnace in accordance with the interim status requirements of 35 Ill. Adm. Code 726.Subpart H.
- n) Any components of a closed-vent system that are designated, as described in Section 725.935(c)(9), as unsafe to monitor are exempt from the requirements of subsection (k)(1)(B)(ii) of this Section if both of the following conditions are fulfilled:
- 1) The owner or operator of the closed-vent system has determined that the components of the closed-vent system are unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with subsection (k)(1)(B)(ii) of this Section; and
  - 2) The owner or operator of the closed-vent system adheres to a written plan that requires monitoring the closed-vent system components using the procedure specified in subsection (k)(1)(B)(ii) of this Section as frequently as practicable during safe-to-monitor times.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 23 1998)

## Section 725.934 Test Methods and Procedures

- a) Each owner or operator subject to the provisions of this Subpart shall comply with the test methods and procedures requirements provided in this Section.
- b) When a closed-vent system is tested for compliance with no detectable emissions, as required in Section 725.933(k), the test must comply with the following requirements:
- 1) Monitoring must comply with Reference Method 21 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111.
  - 2) The detection instrument must meet the performance criteria of Reference Method 21.
  - 3) The instrument must be calibrated before use on each day of its use by the procedures specified in Reference Method 21.
  - 4) Calibration gases must be:
    - A) Zero air (less than 10 ppm of hydrocarbon in air).
    - B) A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.
  - 5) The background level must be determined as set forth in Reference Method 21.
  - 6) The instrument probe must be transferred around all potential leak interfaces as close to the interface as possible, as described in Reference Method 21.
  - 7) The arithmetic difference between the maximum concentration

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indicated by the instrument and the background level is compared with 500 ppm for determining compliance.

- c) Performance tests to determine compliance with Section 725.932(a) and with the total organic compound concentration limit of Section 725.933(c) must comply with the following:

- 1) Performance tests to determine total organic compound concentrations and mass flow rates entering and exiting control devices must be conducted and data reduced in accordance with the following reference methods and calculation procedures:

- A) Method 2 in 40 CFR 60 for velocity and volumetric flow rate.
- B) Method 18 in 40 CFR 60 for organic content.
- C) Each performance test must consist of three separate runs, each run conducted for at least 1 hour under the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. For the purpose of determining total organic compound concentrations and mass flow rates, the average of results of all runs applies. The average must be computed on a time-weighted basis.
- D) Total organic mass flow rates must be determined by the following equation:

$$E[h] = Q[2sd] \times \sum_{i=1}^n C[i] \times MW[i] \times 0.0416 \times 10^{-6}$$

Where:

$E[h]$  = The total organic mass flow rate, kg/h.

$Q[2sd]$  = The volumetric flow rate of gases entering or exiting control device, dscm/h, as determined by Method 2 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111.

$n$  = The number of organic compounds in the vent gas.

$C[i]$  = The organic concentration in ppm, dry basis, of compound  $i$  in the vent gas, as determined by Method 18 in 40 CFR 60.

$MW[i]$  = The molecular weight of organic compound  $i$  in the vent gas, kg/kg-mol.

0.0416 = The conversion factor for molar volume, kg-mol/m(3), at 293 K and 760 mmHg.

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10(-66) = The conversion factor from ppm.

- E) The annual total organic emission rate must be determined by the following equation:

$$A = F \times H$$

Where:

A is total organic emission rate, kg/y.

F is the total organic mass flow rate, kg/h, as calculated in subsection (c)(1)(D) of this Section.

H is the total annual hours of operation for the affected unit.

- F) Total organic emissions from all affected process vents at the facility must be determined by summing the hourly total organic mass emissions rates (F) as determined in subsection (c)(1)(D) of this Section) and by summing the annual total organic mass emission rates (A as determined in subsection (c)(1)(E) of this Section) for all affected process vents at the facility.

- 2) The owner or operator shall record such process information as is necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown and malfunction do not constitute representative conditions for the purpose of a performance test.

- 3) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

- A) Sampling ports adequate for the test methods specified in subsection (c)(1) of this Section.
- B) Safe sampling platform(s).
- C) Safe access to sampling platform(s).
- D) Utilities for sampling and testing equipment.

- 4) For the purpose of making compliance determinations, the time-weighted average of the results of the three runs must apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological conditions or other circumstances beyond the owner or operator's control, compliance may, upon the Agency's approval, be determined using the average of the results of the two other runs.

- d) To show that a process vent associated with a hazardous waste distillation, fractionation, thin-film evaporation, solvent

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extraction, or air or steam stripping operation is not subject to the requirements of this Subpart, the owner or operator shall make an initial determination that the time-weighted, annual average total organic concentration of the waste managed by the waste management unit is less than 10 ppmw using one of the following two methods:

- 1) Direct measurement of the organic concentration of the waste using the following procedures:

- A) The owner or operator shall take a minimum of four grab samples of waste for each wastewater managed in the affected unit under process conditions expected to cause the maximum waste organic concentration.

- B) For waste generated on-site, the grab samples must be collected at a point before the waste is exposed to the atmosphere such as in an enclosed pipe or other closed system that is used to transfer the waste after generation to the first affected distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation. For waste generated off site, the grab samples must be collected at the inlet to the first waste management unit that receives the waste provided the waste has been transferred to the facility in a closed system such as a tank truck and the waste is not diluted or mixed with other waste.

- C) Each sample must be analyzed and the total organic concentration of the sample must be computed using Method 9060 or 8260 0240 of SW-846, incorporated by reference under 35 Ill. Adm. Code 720.111.

- D) The arithmetic mean of the results of the analyses of the four samples apply for each wastewater managed in the unit in determining the time-weighted, annual average total organic concentration of the waste. The time-weighted average is to be calculated using the annual quantity of each waste stream processed and the mean organic concentration of each wastewater managed in the unit.

- 2) Using knowledge of the waste to determine that its total organic concentration is less than 10 ppmw. Documentation of the waste determination is required. Examples of documentation that must be used to support a determination under this subsection (d)(2) include:

- A) Production process information documenting that no organic compounds are used;
- B) Information that the waste is generated by a process that is identical to a process at the same or another facility that has previously been demonstrated by direct measurement to generate a wastewater having a total organic content less than 10 ppmw; or
- C) Prior speciation analysis results on the same wastewater where it is documented that no process changes have occurred



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since that analysis that could affect the waste total organic concentration.

- e) The determination that distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operations which manage hazardous wastes with time-weighted, annual average total organic concentrations less than 10 ppmw must be made as follows:

- 1) By the effective date that the facility becomes subject to the provisions of this Subpart or by the date when the waste is first managed in a waste management unit, whichever is later; and
  - 2) For continuously generated waste, annually; or
  - 3) Whenever there is a change in the waste being managed or a change in the process that generates or treats the waste.
- f) When an owner or operator and the Agency do not agree on whether a distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation manages a hazardous waste with organic concentrations of at least 10 ppmw based on knowledge of the waste, the procedures in Method 8260 8240 in SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111, must be used to resolve the dispute.

(Source: Amended at 22 Ill. Reg. effective  
SEP 28 1998)  
17620 -

## SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

## Section 725.963 Test Methods and Procedures

- a) Each owner or operator subject to the provisions of this Subpart shall comply with the test methods and procedures requirements provided in this Section.
- b) Leak detection monitoring, as required in Sections 725.952 through 725.962, must comply with the following requirements:
  - 1) Monitoring must comply with Reference Method 21 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111.
  - 2) The detection instrument must meet the performance criteria of Reference Method 21.
  - 3) The instrument must be calibrated before use on each day of its use by the procedures specified in Reference Method 21.
  - 4) Calibration gases must be:
    - A) Zero air (less than 10 ppm of hydrocarbon in air).
    - B) A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.
  - 5) The instrument probe must be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21.
- c) When equipment is tested for compliance with no detectable emissions, as required in Sections 725.952(e), 725.953(i), 725.954, and

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725.957(f), the test must comply with the following requirements:

- 1) The requirements of subsections (b)(1) through (b)(4) of this Section above apply.
  - 2) The background level must be determined as set forth in Reference Method 21.
  - 3) The instrument probe must be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21.
  - 4) This arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.
- d) In accordance with the waste analysis plan required by Section 725.113(b), an owner or operator of a facility shall determine, for each piece of equipment, whether the equipment contains or contacts a hazardous waste with organic concentration that equals or exceeds 10 percent by weight using the following:
- 1) Methods described in ASTM Methods D 2267-88, E 168-88, E 169-87, or E 260-85, incorporated by reference in 35 Ill. Adm. Code 720.111;
  - 2) Method 9060 or 8260 8240 of SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111; or
  - 3) Application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced. Documentation of a waste determination by knowledge is required. Examples of documentation that must be used to support a determination under this provision include production process information documenting that no organic compounds are used, information that the waste is generated by a process that is identical to a process at the same or another facility that has previously been demonstrated by direct measurement to have a total organic content less than 10 percent, or prior speculation documented that no process changes have occurred since that analysis results on the same waste stream where it is also analyzed that could affect the waste total organic concentration.
- e) If an owner or operator determines that a piece of equipment contains or contacts a hazardous waste with organic concentrations at least 10 percent by weight, the determination can be revised only after following the procedures in subsection (d)(1) or (d)(2) of this Section above.
- f) When an owner or operator and the Agency do not agree on whether a piece of equipment contains or contacts a hazardous waste with organic concentrations at least 10 percent by weight, the procedures in subsection (d)(1) or (d)(2) of this Section above must be used to resolve the dispute.
- g) Samples used in determining the percent organic content must be representative of the highest total organic content hazardous waste that is expected to be contained in or contact the equipment.
- h) To determine if pumps or valves are in light liquid service, the vapor

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pressures of constituents must either be obtained from standard reference texts or be determined by ASTM D 2879-92B6, incorporated by reference in 35 Ill. Adm. Code 720.111.

- i) Performance tests to determine if a control device achieves 95 weight percent organic emission reduction must comply with the procedures of Section 725.934(c)(1) through (c)(4).

(Source: Amended at 22 Ill. Reg. **17620**, effective **SEP 26 1998**)

## Section 725.964 Recordkeeping Requirements

## a) Lumping Units.

- 1) Each owner or operator subject to the provisions of this Subpart shall comply with the recordkeeping requirements of this Section.
- 2) An owner or operator of more than one hazardous waste management unit subject to the provisions of this Subpart may comply with the recordkeeping requirements for these hazardous waste management units in one recordkeeping system if the system identifies each record by each hazardous waste management unit.

## b) Owners and operators shall record the following information in the facility operating record:

- 1) For each piece of equipment to which this Subpart applies:
  - A) Equipment identification number and hazardous waste management unit identification.
  - B) Approximate locations within the facility (e.g., identify the hazardous waste management unit on a facility plot plan).
  - C) Type of equipment (e.g., a pump or pipeline valve).
  - D) Percent-by-weight total organics in the hazardous wastestream at the equipment.
  - E) Hazardous waste state at the equipment (e.g., gas/vapor or liquid).
  - F) Method of compliance with the standard (e.g., "monthly leak detection and repair" or "equipped with dual mechanical seals").
- 2) For facilities that then comply with the provisions of Section 725.933(a)(2), an implementation schedule as specified in that Section.
- 3) Where an owner or operator chooses to use test data to demonstrate the organic removal efficiency or total organic compound concentration achieved by the control device, a performance test plan as specified in Section 725.935(b)(3).
- 4) Documentation of compliance with Section 725.960, including the detailed design documentation or performance test results specified in Section 725.935(b)(4).
- c) When each leak is detected as specified in Section Sections 725.952, 725.953, 725.957, or 725.958, the following requirements apply:
  - 1) A list of identification numbers for equipment (except welded

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- 1) A weatherproof and readily visible identification, marked with the equipment identification number, the date evidence of a potential leak was found in accordance with Sections 725.958(a), and the date the leak was detected, must be attached to the leaking equipment.
- 2) The identification on equipment except on a valve, may be removed after it has been repaired.
- 3) The identification on a valve may be removed after it has been monitored for 2 successive months as specified in Sections 725.957(c) and no leak has been detected during those 2 months.
- d) When each leak is detected as specified in Sections 725.952, 725.953, 725.957 or 725.958, the following information must be recorded in an inspection log and must be kept in the facility operating record:
  - 1) The instrument and operator identification numbers and the equipment identification number.
  - 2) The date evidence of a potential leak was found in accordance with Section 725.958(a).
  - 3) The date the leak was detected and the dates of each attempt to repair the leak.
  - 4) Repair methods applied in each attempt to repair the leak.
  - 5) "Above 10,000", if the maximum instrument reading measured by the methods specified in Section 725.963(b) after each repair attempt is equal to or greater than 10,000 ppm.
  - 6) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.
  - 7) Documentation supporting the delay of repair of a valve in compliance with Section 725.959(c).
  - 8) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a hazardous waste management unit shutdown.
  - 9) The expected date of successful repair of the leak if a leak is not repaired within 15 calendar days.
  - 10) The date of successful repair of the leak.
- e) Design documentation and monitoring, operating and inspection information for each closed-vent system and control device required to comply with the provisions of Section 725.960 must be recorded and kept up-to-date in the facility operating record as specified in Section 725.935(c)(1) and (c)(2), and monitoring, operating and inspection information in Section 725.935(c)(3) through (c)(8).
- f) For a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system, monitoring and inspection information indicating proper operation and maintenance of the control device must be recorded in the facility operating record.
- g) The following information pertaining to all equipment subject to the requirements in Sections 725.952 through 725.960 must be recorded in a log that is kept in the facility operating record:
  - 1) A list of identification numbers for equipment (except welded

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- fittings) subject to the requirements of this Subpart.
- 2) List of Equipment.
- A) A list of identification numbers for equipment that the owner or operator elects to designate for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, under the provisions of Sections 725.952(e), 725.953(i) and 725.957(f).
  - B) The designation of this equipment as subject to the requirements of Section 725.952(e), 725.953(i) or 725.957(f) must be signed by the owner or operator.
- 3) A list of equipment identification numbers for pressure relief devices required to comply with Section 725.954(a).
- 4) Compliance tests.
- A) The dates of each compliance test required in Sections 725.952(e), 725.953(i), 725.954, and 725.957(f).
  - B) The background level measured during each compliance test.
  - C) The maximum instrument reading measured at the equipment during each compliance test.
- 5) A list of identification numbers for equipment in vacuum service.
- 6) Identification, either by list or location (area or group) of equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for a period of less than 300 hours per year.
- h) The following information pertaining to all valves subject to the requirements of Section 725.957(g) and (h) must be recorded in a log that is kept in the facility operating record:
- 1) A list of identification numbers for valves that are designated as unsafe to monitor, an explanation for each valve stating why the valve is unsafe to monitor, and the plan for monitoring each valve.
- 2) A list of identification numbers for valves that are designated as difficult to monitor, an explanation for each valve stating why the valve is difficult to monitor, and the planned schedule for monitoring each valve.
- i) The following information must be recorded in the facility operating record for valves complying with Section 725.962:
- 1) A schedule of monitoring.
  - 2) The percent of valves found leaking during each monitoring period.
- j) The following information must be recorded in a log that is kept in the facility operating record:
- 1) Criteria required in Sections 725.952(d)(5)(B) and 725.953(e)(2) and an explanation of the criteria.
  - 2) Any changes to these criteria and the reasons for the changes.
- k) The following information must be recorded in a log that is kept in the facility operating record for use in determining exemptions as provided in Section 725.950 and other specific Subparts:
- 1) An analysis determining the design capacity of the hazardous

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- waste management unit.
- 2) A statement listing the hazardous waste influent to and effluent from each hazardous waste management unit subject to the requirements in Section 725.960 and an analysis determining whether these hazardous wastes are heavy liquids.
- 3) An up-to-date analysis and the supporting information and data used to determine whether or not equipment is subject to the requirements in Sections 725.952 through 725.960. The record must include supporting documentation as required by Section 725.963(d)(3) when application of the knowledge of the nature of the hazardous wastestream or the process by which it was produced is used. If the owner or operator takes any action (e.g., changing the process that produced the waste) that could result in an increase in the total organic content of the waste contained in or contacted by equipment determined not to be subject to the requirements in Sections 725.952 through 725.960, then a new determination is required.
- l) Records of the equipment leak information required by subsection (d) of this Section and the operating information required by subsection (e) of this Section need be kept only three years.
- m) The owner or operator of any facility that is subject to this Subpart and to regulations at 40 CFR 60, Subpart VV, or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 720.111, may elect to determine compliance with this Subpart by documentation either pursuant to Section 725.964, or pursuant to those provisions of 40 CFR 60 or 61, to the extent that the documentation under the regulation at 40 CFR 60 or 61 duplicates the documentation required under this Subpart. The documentation under the regulation at 40 CFR 60 or 61 must be kept with or made readily available with the facility operating record.

(Source: Amended **SEP 28 1998** Ill. Reg. **17620**, effective

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

## Section 725.981 Definitions

As used in this Subpart and in 35 Ill. Adm. Code 724, all terms not defined herein shall have the meaning given to them in the Act and 35 Ill. Adm. Code 720 through 726.

"Average volatile organic concentration" or "average VO concentration" means the mass-weighted average volatile organic concentration of a hazardous waste, as determined in accordance with the requirements of Section 725.984.



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"Closure device" means a cap, hatch, lid, plug, seal, valve, or other type of fitting that blocks an opening in a cover so that when the device is secured in the closed position it prevents or reduces air pollutant emissions to the atmosphere. Closure devices include devices that are detachable from the cover (e.g., a sampling port cap), manually operated (e.g., a hinged access lid or hatch), or automatically operated (e.g., a spring-loaded pressure relief valve).

"Continuous seal" means a seal that forms a continuous closure that completely covers the space between the edge of the floating roof and the wall of a tank. A continuous seal may be a vapor-mounted seal, liquid-mounted seal, or metallic shoe seal. A continuous seal may be constructed of fastened segments so as to form a continuous seal.

"Cover" means a device that provides a continuous barrier over the hazardous waste managed in a unit to prevent or reduce air emissions to the atmosphere. A cover may have openings (such as access hatches, sampling ports, and gauge wells) that are necessary for operation, inspection, maintenance, or repair of the unit on which the cover is used. A cover may be a separate piece of equipment which can be detached and removed from the unit or a cover may be formed by structural features permanently integrated into the design of the unit.

"Enclosure" means a structure that surrounds a tank or container, captures organic vapors emitted from the tank or container, and vents the captured vapors through a closed-vent system to a control device.

"External floating roof" means a pontoon-type or double-deck type cover that rests on the surface of a hazardous waste being managed in a tank with no fixed roof.

"Fixed roof" means a cover that is mounted on a unit in a stationary position and does not move with fluctuations in the level of the material managed in the unit.

"Floating membrane cover" means a cover consisting of a synthetic flexible membrane material that rests upon and is supported by the hazardous waste being managed in a surface impoundment.

"Floating roof" means a cover consisting of a double-deck, pontoon single-deck, or internal floating cover that rests upon and is supported by the material being contained, and is equipped with a continuous seal.

"Hard-piping" means pipe or tubing that is manufactured and properly installed in accordance with relevant standards and good engineering practices.

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"In light material service" means the container is used to manage a material for which both of the following conditions apply: the vapor pressure of one or more of the organic constituents in the material is greater than 0.3 kilopascals (kPa) at 20°C (1.2 inches H<sub>2</sub>O at 68°F); and the total concentration of the pure organic constituents having a vapor pressure greater than 0.3 kPa at 20°C (1.2 inches H<sub>2</sub>O at 68°F) is equal to or greater than 20 percent % by weight.

"Internal floating roof" means a cover that rests or floats on the material surface (but not necessarily in complete contact with it) inside a tank that has a fixed roof.

"Liquid-mounted seal" means a foam or liquid-filled primary seal mounted in contact with the hazardous waste between the tank wall and the floating roof, continuously around the circumference of the tank.

"Malfunction" means any sudden, infrequent, and not reasonably preventable failure of air pollution control equipment, process equipment, or a process to operate in a normal or usual manner. A failure that is caused in part by poor maintenance or careless operation is not a malfunction.

"Maximum organic vapor pressure" means the sum of the individual organic constituent partial pressures exerted by the material contained in a tank at the maximum vapor pressure-causing conditions (i.e., temperature, agitation, pH effects of combining wastes, etc.) reasonably expected to occur in the tank. For the purpose of this Subpart, maximum organic vapor pressure is determined using the procedures specified in Section 725.984(c).

"Metallic shoe seal" means a continuous seal that is constructed of metal sheets that are held vertically against the wall of the tank by springs, weighted levers, or other mechanisms and which is connected to the floating roof by braces or other means. A flexible coated fabric (envelope) spans the annular space between the metal sheet and the floating roof.

"No detectable organic emissions" means no escape of organics to the atmosphere, as determined using the procedure specified in Section 725.984(d).

"Point of waste origination" means as follows:

When the facility owner or operator is the generator of the hazardous waste, the "point of waste origination" means the point where a solid waste produced by a system, process, or waste management unit is determined to be a hazardous waste, as defined in 35 Ill. Adm. Code 721.

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**BOARD NOTE:** In this case, this term is being used in a manner similar to the use of the term "point of generation" in air standards established for waste management operations under authority of the federal Clean Air Act in 40 CFR 60, 61, and 63.

When the facility owner and operator are not the generator of the hazardous waste, "point of waste origination" means the point where the owner or operator accepts delivery or takes possession of the hazardous waste.

"Point of waste treatment" means the point where a hazardous waste to be treated in accordance with Section 725.983(c)(2) exits the treatment process. Any waste determination must be made before the waste is conveyed, handled, or otherwise managed in a manner that allows the waste to volatilize to the atmosphere.

"Safety device" means a closure device, such as a pressure relief valve, frangible disc, fusible plug, or any other type of device, which functions exclusively to prevent physical damage or permanent deformation to a unit or its air emission control equipment by venting gases or vapors directly to the atmosphere during unsafe conditions resulting from an unplanned, accidental, or emergency event. For the purpose of this Subpart, a safety device is not used for routine venting of gases or vapors from the vapor headspace underneath a cover such as during filling of the unit or to adjust the pressure in this vapor headspace in response to normal daily diurnal ambient temperature fluctuations. A safety device is designed to remain in a closed position during normal operations and open only when the internal pressure, or another relevant parameter, exceeds the device threshold setting applicable to the air emission control equipment as determined by the owner or operator based on manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, ignitable, explosive, reactive, or hazardous materials.

"Single-seal system" means a floating roof having one continuous seal. This seal may be vapor-mounted, liquid-mounted, or a metallic shoe seal.

"Vapor-mounted seal" means a continuous seal that is mounted so that there is a vapor space between the hazardous waste in the unit and the bottom of the seal.

"Volatile organic concentration" or "VO concentration" means the fraction by weight of organic compounds contained in a hazardous waste expressed in terms of parts per million (ppmw), as determined by direct measurement or by knowledge of the waste, in accordance with

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the requirements of Section 725.984. For the purpose of determining the VO concentration of a hazardous waste, organic compounds with a Henry's law constant value of at least 0.1 mole-fraction-in-the-gas-phase/mole-fraction-in-the-liquid-phase (0.1 mole-fraction-in-the-gas-phase/mole-fraction-in-the-liquid-phase (0.1 Y/X) (which can also be expressed as 1.8X10<sup>-6</sup>) atmospheres/gram-mole/m(3)) at 25°C (77°F) must be included. Section 725.984 presents a list of compounds known to have a Henry's law constant value less than the cutoff level.

"Waste determination" means performing all applicable procedures in accordance with the requirements of Section 725.984 to determine whether a hazardous waste meets standards specified in this Subpart. Examples of a waste determination include performing the procedures in accordance with the requirements of Section 725.984 to determine the average VO concentration of a hazardous waste at the point of waste origination, determining the average VO concentration of a hazardous waste at the point of waste treatment and comparing the results to the exit concentration limit specified for the process used to treat the hazardous waste, the organic reduction efficiency and the organic biodegradation efficiency for a biological process used to treat a hazardous waste and comparing the results to the applicable standards, or determining the maximum volatile organic vapor pressure for a hazardous waste in a tank and comparing the results to the applicable standards.

"Waste stabilization process" means any physical or chemical process used to either reduce the mobility of hazardous constituents in a hazardous waste or eliminate free liquids as determined by Test Method 9095 (Paint Filter Liquids Test) in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", incorporated by reference in Section 720.111. A waste stabilization process includes mixing the hazardous waste with binders or other materials and curing the resulting hazardous waste and binder mixture. Other synonymous terms used to refer to this process are "waste fixation" or "waste solidification". This does not include the addition of absorbent materials to the surface of a waste to absorb free liquid without mixing, agitation, or subsequent curing.

(Source: Amended **SEP 28 1998** Ill. Reg. effective **17620**)

## Section 725.985 Standards: Tanks

- a) The provisions of this Section apply to the control of air pollutant emissions from tanks for which Section 725.983(b) references the use of this Section for such air emission control.
- b) The owner or operator shall control air pollutant emissions from each

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tank subject to this Section in accordance with the following requirements, as applicable:

- 1) For a tank that manages hazardous waste which meets all of the conditions specified in subsections (b)(1)(A) through (b)(1)(C) of this Section, the owner or operator shall control air pollutant emissions from the tank in accordance with the Tank Level 1 controls specified in subsection (c) of this Section or the Tank Level 2 controls specified in subsection (d) of this Section.

A) The hazardous waste in the tank has a maximum organic vapor pressure that is less than the maximum organic vapor pressure limit for the tank's design capacity category, as follows:

- i) For a tank design capacity equal to or greater than 151 m(3) (5333 ft(3) or 39,887 gal), the maximum organic vapor pressure limit for the tank is 5.2 kPa (0.75 psia or 39 mm Hg);
- ii) For a tank design capacity equal to or greater than 75 m(3) (2649 ft(3) or 19,810 gal) but less than 151 m(3) (5333 ft(3) or 39,887 gal), the maximum organic vapor pressure limit for the tank is 27.6 kPa (4.0 psia or 207 mm Hg); or
- iii) For a tank design capacity is less than 75 m(3) (2649 ft(3) or 19,810 gal), the maximum organic vapor pressure limit for the tank is 76.6 kPa (11.1 psia or 574 mm Hg).

B) The hazardous waste in the tank is not heated by the owner or operator to a temperature that is greater than the temperature at which the maximum organic vapor pressure of the hazardous waste is determined for the purpose of complying with subsection (b)(1)(A) of this Section.

C) The hazardous waste in the tank is not treated by the owner or operator using a waste stabilization process, as defined in Section 725.981.

- 2) For a tank that manages hazardous waste that does not meet all of the conditions specified in subsections (b)(1)(A) through (b)(1)(C) of this Section, the owner or operator shall control air pollutant emissions from the tank by using Tank Level 2 controls in accordance with the requirements of subsection (d) of this Section. Examples of tanks required to use Tank Level 2 controls include the following: a tank used for a waste stabilization process and a tank for which the hazardous waste in the tank has a maximum organic vapor pressure that is equal to or greater than the maximum organic vapor pressure limit for the tank's design capacity category, as specified in subsection (b)(1)(A) of this Section.

c) Owners and operators controlling air pollutant emissions from a tank using Tank Level 1 controls shall meet the requirements specified in

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subsections (c)(1) through (c)(4) of this Section:

- 1) The owner or operator shall determine the maximum organic vapor pressure for a hazardous waste to be managed in the tank using Tank Level 1 controls before the first time the hazardous waste is placed in the tank. The maximum organic vapor pressure must be determined using the procedures specified in Section 725.984(c). Thereafter, the owner or operator shall perform a new determination whenever changes to the hazardous waste managed in the tank could potentially cause the maximum organic vapor pressure to increase to a level that is equal to or greater than the maximum organic vapor pressure limit for the tank design capacity category specified in subsection (b)(1)(A) of this Section, as applicable to the tank.

- 2) The tank must be equipped with a fixed roof designed to meet the following specifications:

A) The fixed roof and its closure devices must be designed to form a continuous barrier over the entire surface area of the hazardous waste in the tank. The fixed roof may be a separate cover installed on the tank (e.g., a removable cover mounted on an open-top tank) or may be an integral part of the tank structural design (e.g., a horizontal cylindrical tank equipped with a hatch).

B) The fixed roof must be installed in a manner such that there are no visible cracks, holes, gaps, or other open spaces between roof section Section joints or between the interface of the roof edge and the tank wall.

C) Each opening in the fixed roof must be either:

- i) Equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure device; or

ii) Connected by a closed-vent system that is vented to a control device. The control device must remove or destroy organics in the vent stream, and it must be operating whenever hazardous waste is managed in the tank.

D) The fixed roof and its closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and which will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices must include the following: organic vapor permeability; the effects of any contact with the hazardous waste or its vapors managed in the tank; the effects of outdoor exposure



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to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

- 3) Whenever a hazardous waste is in the tank, the fixed roof must be installed with each closure device secured in the closed position, except as follows:

A) Opening of closure devices or removal of the fixed roof is allowed at the following times:

- i) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample the liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.
- ii) To remove accumulated sludge or other residues from the bottom of the tank.

B) Opening of a spring-loaded pressure-vacuum relief valve, conservation vent, or similar type of pressure relief device which vents to the atmosphere is allowed during normal operations for the purpose of maintaining the tank internal pressure in accordance with the tank design specifications. The device must be designed to operate with no detectable organic emissions when the device is secured in the closed position. The settings at which the device opens must be established such that the device remains in the closed position whenever the tank internal pressure is within the internal pressure operating range determined by the owner or operator based on the tank manufacturer recommendations; applicable regulations; fire protection and prevention codes; standard engineering codes and practices; or other requirements for the safe handling of flammable, ignitable, explosive, reactive, or hazardous materials. Examples of normal operating conditions that may require these devices to open are during those times when the tank internal pressure exceeds the internal pressure operating range for the tank as a result of loading operations or diurnal ambient temperature fluctuations.

C) Opening of a safety device, as defined in Section 725.981, is allowed at any time conditions require doing so to avoid an unsafe condition.

4) The owner or operator shall inspect the air emission control equipment in accordance with the following requirements.

- A) The fixed roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include,

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but are not limited to, visible cracks, holes, or gaps in the roof sections Sections or between the roof and the tank wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

B) The owner or operator shall perform an initial inspection of the fixed roof and its closure devices on or before the date that the tank becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year, except under the special conditions provided for in subsection (l) of this Section.

C) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.

D) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(b).

d) Owners and operators controlling air pollutant emissions from a tank using Tank Level 2 controls shall use one of the following tanks:

- 1) A fixed-roof tank equipped with an internal floating roof in accordance with the requirements specified in subsection (e) of this Section;

- 2) A tank equipped with an external floating roof in accordance with the requirements specified in subsection (f) of this Section;

- 3) A tank vented through a closed-vent system to a control device in accordance with the requirements specified in subsection (g) of this Section;

- 4) A pressure tank designed and operated in accordance with the requirements specified in subsection (h) of this Section; or
- 5) A tank located inside an enclosure that is vented through a closed-vent system to an enclosed combustion control device in accordance with the requirements specified in subsection (i) of this Section.

e) The owner or operator that controls air pollutant emissions from a tank using a fixed roof fixed-roof with an internal floating roof shall meet the requirements specified in subsections (e)(1) through (e)(3) of this Section.

- 1) The tank must be equipped with a fixed roof and an internal floating roof in accordance with the following requirements:
  - A) The internal floating roof must be designed to float on the liquid surface except when the floating roof must be supported by the leg supports.

- B) The internal floating roof must be equipped with a continuous seal between the wall of the tank and the floating roof edge that meets either of the following requirements:
  - i) A single continuous seal that is either a liquid-mounted seal or a metallic shoe seal, as

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defined in Section 725.981; or

- ii) Two continuous seals mounted one above ~~of this Section~~ the other. The lower seal may be a vapor-mounted seal.
- C) The internal floating roof must meet the following specifications:
- i) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.
  - ii) Each opening in the internal floating roof must be equipped with a gasketed cover or a gasketed lid except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains.
  - iii) Each penetration of the internal floating roof for the purpose of sampling must have a slit fabric cover that covers at least 90 percent of the opening.
  - iv) Each automatic bleeder vent and rim space vent must be gasketed.
  - v) Each penetration of the internal floating roof that allows for passage of a ladder must have a gasketed sliding cover.
  - vi) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof must have a flexible fabric sleeve seal or a gasketed sliding cover.
- 2) The owner or operator shall operate the tank in accordance with the following requirements:
- A) When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling must be continuous and must be completed as soon as practical.
  - B) Automatic bleeder vents are to be set closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the leg supports.
  - C) Prior to filling the tank, each cover, access hatch, gauge float well or lid on any opening in the internal floating roof must be bolted or fastened closed (i.e., no visible gaps). Rim space vents are to be set to open only when the internal floating roof is not floating or when the pressure beneath the rim exceeds the manufacturer's recommended setting.
- 3) The owner or operator shall inspect the internal floating roof in accordance with the procedures specified as follows:
- A) The floating roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, the following: when the internal

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floating roof is not floating on the surface of the liquid inside the tank; when liquid has accumulated on top of the internal floating roof; when any portion of the roof seals have detached from the roof rim; when holes, tears, or other openings are visible in the seal fabric; when the gaskets no longer close off the hazardous waste surface from the atmosphere; or when the slotted membrane has more than 10 percent open area.

- B) The owner or operator shall inspect the internal floating roof components as follows, except as provided in subsection (e)(3)(C) of this Section:
  - i) Visually inspect the internal floating roof components through openings on the fixed roof fixed-roof (e.g., manholes and roof hatches) at least once every 12 months after initial fill, and
  - ii) Visually inspect the internal floating roof, primary seal, secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least once every 10 years.
- C) As an alternative to performing the inspections specified in subsection (e)(3)(B) of this Section for an internal floating roof equipped with two continuous seals mounted above the other, the owner or operator may visually inspect the internal floating roof, primary and secondary seals, gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least every five years.
- D) Prior to each inspection required by subsection (e)(3)(B) or (e)(3)(C) of this Section, the owner or operator shall notify the Agency in advance of each inspection to provide the Agency with the opportunity to have an observer present during the inspection. The owner or operator shall notify the Agency of the date and location of the inspection as follows:
  - i) Prior to each visual inspection of an internal floating roof in a tank that has been emptied and degassed, written notification must be prepared and sent by the owner or operator so that it is received by the Agency at least 30 calendar days before refilling the tank, except when an inspection is not planned, as provided for in subsection (e)(3)(D)(ii) of this Section.
  - ii) When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the Agency as soon as possible, but no later than seven calendar days before

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refilling of the tank. This notification may be made by telephone and immediately followed by a written explanation for why the inspection is unplanned. Alternatively, written notification, including the explanation for the unplanned inspection, may be sent so that it is received by the Regional Administrator at least seven calendar days before refilling the tank.

E) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.

F) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(b).

f) The owner or operator that controls air pollutant emissions from a tank using an external floating roof shall meet the requirements specified in subsections (f)(1) through (f)(3) of this Section.

1) The owner or operator shall design the external floating roof in accordance with the following requirements:

A) The external floating roof must be designed to float on the liquid surface except when the floating roof must be supported by the leg supports.

B) The floating roof must be equipped with two continuous seals, one above the other, between the wall of the tank and the roof edge. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

i) The primary seal must be a liquid-mounted seal or a metallic shoe seal, as defined in Section 725.981. The total area of the gaps between the tank wall and the primary seal must not exceed 212 square centimeters (cm<sup>2</sup>) per meter (10.0 in<sup>2</sup> per foot) of tank diameter, and the width of any portion of these gaps must not exceed 3.8 centimeters (cm) (1.5 inches). If a metallic shoe seal is used for the primary seal, the metallic shoe seal must be designed so that one end extends into the liquid in the tank and the other end extends a vertical distance of at least 61 centimeters above the liquid surface.

ii) The secondary seal must be mounted above the primary seal and cover the annular space between the floating roof and the wall of the tank. The total area of the gaps between the tank wall and the secondary seal must not exceed 21.2 cm<sup>2</sup> per meter (1.0 in<sup>2</sup> per foot) of tank diameter, and the width of any portion of these gaps must not exceed 1.3 cm (0.5 inch).

C) The external floating roof must meet the following specifications:

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i) Except for automatic bleeder vents (vacuum breaker vents) and rim space vents, each opening in a noncontact external floating roof must provide a projection below the liquid surface.

ii) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof must be equipped with a gasketed cover, seal, or lid.

iii) Each access hatch and each gauge float well must be equipped with a cover designed to be bolted or fastened when the cover is secured in the closed position.

iv) Each automatic bleeder vent and each rim space vent must be equipped with a gasket.

v) Each roof drain that empties into the liquid managed in the tank must be equipped with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

vi) Each unslotted and slotted guide pole well must be equipped with a gasketed sliding cover or a flexible fabric sleeve seal.

vii) Each unslotted guide pole must be equipped with a gasketed cap on the end of the pole.

viii) Each slotted guide pole must be equipped with a gasketed float or other device which closes off the liquid surface from the atmosphere.

ix) Each gauge hatch and each sample well must be equipped with a gasketed cover.

2) The owner or operator shall operate the tank in accordance with the following requirements:

A) When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling must be continuous and must be completed as soon as practical.

B) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof must be secured and maintained in a closed position at all times except when the closure device must be open for access.

C) Covers on each access hatch and each gauge float well must be bolted or fastened when secured in the closed position.

D) Automatic bleeder vents must be set closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the leg supports.

E) Rim space vents must be set to open only at those times that the roof is being floated off the roof leg supports or when the pressure beneath the rim seal exceeds the manufacturer's recommended setting.

F) The cap on the end of each unslotted guide pole must be secured in the closed position at all times except when measuring the level or collecting samples of the liquid in



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- the tank.
- G) The cover on each gauge hatch or sample well must be secured in the closed position at all times except when the hatch or well must be opened for access.
- H) Both the primary seal and the secondary seal must completely cover the annular space between the external floating roof and the wall of the tank in a continuous fashion except during inspections.
- 3) The owner or operator shall inspect the external floating roof in accordance with the procedures specified as follows:
- A) The owner or operator shall measure the external floating roof seal gaps in accordance with the following requirements:
- i) The owner or operator shall perform measurements of gaps between the tank wall and the primary seal within 60 calendar days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every five years.
  - ii) The owner or operator shall perform measurements of gaps between the tank wall and the secondary seal within 60 calendar days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every year.
  - iii) If a tank ceases to hold hazardous waste for a period of one year or more, subsequent introduction of hazardous waste into the tank must be considered an initial operation for the purposes of subsections (f)(3)(A)(i) and (f)(3)(A)(ii) of this Section.
  - iv) The owner or operator shall determine the total surface area of gaps in the primary seal and in the secondary seal individually using the procedure set forth in subsection (f)(4)(D) of this Section.
  - v) In the event that the seal gap measurements do not conform to the specifications in subsection (f)(1)(B) of this Section, the owner or operator must repair the defect in accordance with the requirements of subsection (k) of this Section.
  - vi) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(b).
- B) The owner or operator shall visually inspect the external floating roof in accordance with the following requirements:
- i) The floating roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to any of the following: holes, tears, or other openings in the rim seal or seal fabric of the floating roof; a

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- rim seal detached from the floating roof; all or a portion of the floating roof deck being submerged below of this Section the surface of the liquid in the tank; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.
- ii) The owner or operator shall perform an initial inspection of the external floating roof and its closure devices on or before the date that the tank becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except for the special conditions provided for in subsection (l) of this Section.
  - iii) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.
  - iv) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(b).
- C) Prior to each inspection required by subsection (f)(3)(A) or (f)(3)(B) of this Section, the owner or operator shall notify the Agency in advance of each inspection to provide the Agency with the opportunity to have an observer present during the inspection. The owner or operator shall notify the Agency of the date and location of the inspection as follows:
- i) Prior to each inspection to measure external floating roof seal gaps as required under subsection (f)(3)(A) of this Section, written notification must be prepared and sent by the owner or operator so that it is received by the Agency at least 30 calendar days before the date the measurements are scheduled to be performed.
  - ii) Prior to each visual inspection of an external floating roof in a tank that has been emptied and degassed, written notification must be prepared and sent by the owner or operator so that it is received by the Agency at least 30 calendar days before refilling the tank except when an inspection is not planned, as provided for in subsection (f)(3)(C)(iii) of this Section.
  - iii) When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the Agency as soon as possible, but no later than seven calendar days before

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refilling of the tank. This notification may be made by telephone and immediately followed by a written explanation for why the inspection is unplanned. Alternatively, written notification, including the explanation for the unplanned inspection, may be sent so that it is received by the Regional Administrator at least seven calendar days before refilling the tank.

- D) Procedure for determining gaps in the primary seal and in the secondary seal for the purposes of subsection (f)(3)(A)(iv) of this Section:

- i) The seal gap measurements must be performed at one or more floating roof levels when the roof is floating off the roof supports.
  - ii) Seal gaps, if any, must be measured around the entire perimeter of the floating roof in each place where a 0.32-cm (1/8-inch) diameter uniform probe passes freely (without forcing or binding against the seal) between the seal and the wall of the tank and measure the circumferential distance of each such location.
  - iii) For a seal gap measured under this subsection (f)(3), the gap surface area must be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.
  - iv) The total gap area must be calculated by adding the gap surface areas determined for each identified gap location for the primary seal and the secondary seal individually, and then dividing the sum for each seal type by the nominal perimeter of the tank. These total gap areas for the primary seal and secondary seal are then compared to the respective standards for the seal type, as specified in subsection (f)(1)(B) of this Section.
- BOARD NOTE: Subsections (f)(3)(D)(i) through (f)(3)(D)(iv) correspond with 40 CFR 265.1085(f)(3)(i)(D)(1) through (f)(3)(i)(D)(4), which the Board has codified here to comport with Illinois Administrative Code format requirements.
- g) The owner or operator that controls air pollutant emissions from a tank by venting the tank to a control device shall meet the requirements specified in subsections (g)(1) through (g)(3) of this Section.
- 1) The tank must be covered by a fixed roof and vented directly through a closed-vent system to a control device in accordance with the following requirements:
    - A) The fixed roof and its closure devices must be designed to
      - i) form a continuous barrier over the entire surface area of the liquid in the tank.
      - Each opening in the fixed roof not vented to the control device must be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is operating, the closure devices must be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device must be designed to operate with no detectable organic emissions.
      - The fixed roof and its closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices must include the following: organic vapor permeability; the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.
      - The closed-vent system and control device must be designed and operated in accordance with the requirements of Section 725.988.
    - 2) Whenever a hazardous waste is in the tank, the fixed roof must be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the control device except as follows:
      - A) Venting to the control device is not required, and opening of closure devices or removal of the fixed roof is allowed at the following times:
        - 1) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.
        - ii) To remove accumulated sludge or other residues from

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form a continuous barrier over the entire surface area of the liquid in the tank.

- B) Each opening in the fixed roof not vented to the control device must be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is operating, the closure devices must be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device must be designed to operate with no detectable organic emissions.
- C) The fixed roof and its closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices must include the following: organic vapor permeability; the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.
- D) The closed-vent system and control device must be designed and operated in accordance with the requirements of Section 725.988.
- 2) Whenever a hazardous waste is in the tank, the fixed roof must be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the control device except as follows:
  - A) Venting to the control device is not required, and opening of closure devices or removal of the fixed roof is allowed at the following times:
    - 1) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.
    - ii) To remove accumulated sludge or other residues from

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the bottom of a tank.

- B) Opening of a safety device, as defined in Section 725.981, is allowed at any time conditions require doing so to avoid an unsafe condition.
- 3) The owner or operator shall inspect and monitor the air emission control equipment in accordance with the following procedures:
  - A) The fixed roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to any of the following: visible cracks, holes, or gaps in the roof sections or between the roof and the tank wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.
  - B) The closed-vent system and control device must be inspected and monitored by the owner or operator in accordance with the procedures specified in Section 725.988.
  - C) The owner or operator shall perform an initial inspection of the air emission control equipment on or before the date that the tank becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except for the special conditions provided for in subsection (l) of this Section.
  - D) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.
  - E) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(b).
- h) The owner or operator that controls air pollutant emissions by using a pressure tank must meet the following requirements.
  - 1) The tank shall be designed not to vent to the atmosphere as a result of compression of the vapor headspace in the tank during filling of the tank to its design capacity.
  - 2) All tank openings must be equipped with closure devices designed to operate with no detectable organic emissions as determined using the procedure specified in Section 725.984(d).
  - 3) Whenever a hazardous waste is in the tank, the tank must be operated as a closed system that does not vent to the atmosphere except in the event that a safety device, as defined in Section 725.981, is required to open to avoid an unsafe condition.
- i) The owner or operator that controls air pollutant emissions by using an enclosure vented through a closed-vent system to an enclosed combustion control device shall meet the requirements specified in subsections (i)(1) through (i)(4) of this Section.
  - 1) The tank must be located inside an enclosure. The enclosure must be designed and operated in accordance with the criteria for a

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- permanent total enclosure, as specified in "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B, incorporated by reference in 35 Ill. Adm. Code 720.111. The enclosure may have permanent or temporary openings to allow worker access; passage of material into or out of the enclosure by conveyor, vehicles, or other mechanical means; entry of permanent mechanical or electrical equipment; or direct airflow into the enclosure. The owner or operator shall perform the verification procedure for the enclosure as specified in Section 5.0 to "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" initially when the enclosure is first installed and, thereafter, annually.
- 2) The enclosure must be vented through a closed-vent system to an enclosed combustion control device that is designed and operated in accordance with the standards for either a vapor incinerator, boiler, or process heater specified in Section 725.988.
  - 3) Safety devices, as defined in Section 725.981, may be installed and operated as necessary on any enclosure, closed-vent system, or control device used to comply with the requirements of subsections (i)(1) and (i)(2) of this Section.
  - 4) The owner or operator shall inspect and monitor the closed-vent system and control device, as specified in Section 725.988.
  - j) The owner or operator shall transfer hazardous waste to a tank subject to this Section in accordance with the following requirements:
    - 1) Transfer of hazardous waste, except as provided in subsection (j)(2) of this Section, to the tank from another tank subject to this Section or from a surface impoundment subject to Section 725.986 must be conducted using continuous hard-piping or another closed system that does not allow exposure of the hazardous waste to the atmosphere. For the purpose of complying with this provision, an individual drain system is considered to be a closed system when it meets the requirements of 40 CFR 63, subpart RR, "National Emission Standards for Individual Drain Systems", incorporated by reference in 35 Ill. Adm. Code 720.111.
    - 2) The requirements of subsection (j)(1) of this Section do not apply when transferring a hazardous waste to the tank under any of the following conditions:
      - A) The hazardous waste meets the average VO concentration conditions specified in Section 725.983(c)(1) at the point of waste origination.
      - B) The hazardous waste has been treated by an organic destruction or removal process to meet the requirements in Section 725.983(c)(2).
  - k) The owner or operator shall repair each defect detected during an inspection performed in accordance with the requirements of subsections (c)(4), (e)(3), (f)(3), or (g)(3) of this Section as follows:



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1) The owner or operator shall make first efforts at repair of the defect no later than five calendar days after detection, and repair shall be completed as soon as possible but no later than 45 calendar days after detection except as provided in subsection (k)(2) of this Section.

2) Repair of a defect may be delayed beyond 45 calendar days if the owner or operator determines that repair of the defect requires emptying or temporary removal from service of the tank and no alternative tank capacity is available at the site to accept the hazardous waste normally managed in the tank. In this case, the owner or operator shall repair the defect the next time the process or unit that is generating the hazardous waste managed in the tank stops operation. Repair of the defect must be completed before the process or unit resumes operation.

1) Following the initial inspection and monitoring of the cover as required by the applicable provisions of this Subpart, subsequent inspection and monitoring may be performed at intervals longer than one year under the following special conditions:

1) Where inspecting or monitoring the cover would expose a worker to dangerous, hazardous, or other unsafe conditions, then the owner or operator may designate a cover as an "unsafe to inspect and monitor cover" and comply with all of the following requirements:

A) Prepare a written explanation for the cover stating the reasons why the cover is unsafe to visually inspect or to monitor, if required.

B) Develop and implement a written plan and schedule to inspect and monitor the cover, using the procedures specified in the applicable Section of this Subpart, as frequently as practicable during those times when a worker can safely access the cover.

2) In the case when a tank is buried partially or entirely underground, an owner or operator is required to inspect and monitor, as required by the applicable provisions of this Section, only those portions of the tank cover and those connections to the tank (e.g., fill ports, access hatches, gauge wells, etc.) that are located on or above the ground surface.

(Source: Amended at 22 Ill. Reg. **17680**, effective **SEP 28 1998**)

## Section 725.986 Standards: Surface Impoundments

a) The provisions of this Section apply to the control of air pollutant emissions from surface impoundments for which Section 725.983(b) of this Subpart references the use of this Section for such air emission control.

b) The owner or operator shall control air pollutant emissions from the surface impoundment by installing and operating either of the

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following:

1) A floating membrane cover in accordance with the provisions specified in subsection (c) of this Section; or

2) A cover that is vented through a closed-vent system to a control device in accordance with the provisions specified in subsection (d) of this Section.

c) The owner or operator that controls air pollutant emissions from a surface impoundment using a floating membrane cover must meet the requirements specified in subsections (c)(1) through (c)(3) of this Section.

1) The surface impoundment must be equipped with a floating membrane cover designed to meet the following specifications:

A) The floating membrane cover must be designed to float on the liquid surface during normal operations and form a continuous barrier over the entire surface area of the liquid.

B) The cover must be fabricated from a synthetic membrane material that is either:

i) High density polyethylene (HDPE) with a thickness no less than 2.5 millimeters (mm) (0.10 inch); or

ii) A material or a composite of different materials determined to have both organic permeability properties that are equivalent to those of the material listed in subsection (c)(1)(B)(i) of this Section and chemical and physical properties that maintain the material integrity for the intended service life of the material.

C) The cover must be installed in a manner such that there are no visible cracks, holes, gaps, or other open spaces between cover section seams or between the interface of the cover edge and its foundation mountings.

D) Except as provided for in subsection (c)(1)(E) of this Section, each opening in the floating membrane cover must be equipped with a closure device so designed as to operate that when that the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device.

E) The floating membrane cover may be equipped with one or more emergency cover drains for removal of stormwater. Each emergency cover drain must be equipped with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening or a flexible fabric sleeve seal.

F) The closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the closure devices throughout their intended service life. Factors to be considered when selecting the

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materials of construction and designing the cover and closure devices must include the following: the organic vapor permeability; the effects of any contact with the liquid and its vapor managed in the surface impoundment; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the surface impoundment on which the floating membrane cover is installed.

- 2) Whenever a hazardous waste is in the surface impoundment, the floating membrane cover must float on the liquid and each closure device must be secured in the closed position except as follows:

A) Opening of closure devices or removal of the cover is allowed at the following times:

- i) To provide access to the surface impoundment for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample the liquid in the surface impoundment, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly replace the cover and secure the closure device in the closed position, as applicable.
- ii) To remove accumulated sludge or other residues from the bottom of surface impoundment.

- B) Opening of a safety device, as defined in Section 725.981, is allowed at any time conditions require doing so to avoid an unsafe condition.

- 3) The owner or operator shall inspect the floating membrane cover in accordance with the following procedures:

A) The floating membrane cover and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the cover section seams or between the interface of the cover edge and its foundation mountings; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

B) The owner or operator shall perform an initial inspection of the floating membrane cover and its closure devices on or before the date that the surface impoundment becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except for the special conditions provided for in subsection (g) of this Section.

C) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (f) of this Section.

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- D) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(c).

d) The owner or operator that controls air pollutant emissions from a surface impoundment using a cover vented to a control device shall meet the requirements specified in subsections (d)(1) through (d)(3) of this Section.

- 1) The surface impoundment must be covered by a cover and vented directly through a closed-vent system to a control device in accordance with the following requirements:

A) The cover and its closure devices must be designed to form a continuous barrier over the entire surface area of the liquid in the surface impoundment.

B) Each opening in the cover not vented to the control device must be equipped with a closure device. If the pressure in the vapor headspace underneath the cover is less than atmospheric pressure when the control device is operating, the closure devices must be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the cover is equal to or greater than atmospheric pressure when the control device is operating, the closure device must be designed to operate with no detectable organic emissions using the procedure specified in Section 725.984(d).

C) The cover and its closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the cover and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the cover and closure devices must include the following: the organic vapor permeability; the effects of any contact with the liquid or its vapors managed in the surface impoundment; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the surface impoundment on which the cover is installed.

D) The closed-vent system and control device must be designed and operated in accordance with the requirements of Section 725.988.

- 2) Whenever a hazardous waste is in the surface impoundment, the cover must be installed with each closure device secured in the closed position and the vapor headspace underneath the cover vented to the control device except as follows:

A) Venting to the control device is not required, and opening

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of closure devices or removal of the cover is allowed at the following times:

- i) To provide access to the surface impoundment for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample liquid in the surface impoundment, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the surface impoundment.
- ii) To remove accumulated sludge or other residues from the bottom of surface impoundment.
- B) Opening of a safety device, as defined in Section 725.981, is allowed at any time conditions require doing so to avoid an unsafe condition.
- 3) The owner or operator shall inspect and monitor the air emission control equipment in accordance with the following procedures:
  - A) The surface impoundment cover and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the cover section seams or between the interface of the cover edge and its foundation mountings; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.
  - B) The closed-vent system and control device must be inspected and monitored by the owner or operator in accordance with the procedures specified in Section 725.988.
  - C) The owner or operator shall perform an initial inspection of the air emission control equipment on or before the date that the surface impoundment becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except for the special conditions provided for in subsection (g) of this Section.
  - D) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (f) of this Section.
  - E) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 725.990(c).
- e) The owner or operator shall transfer hazardous waste to a surface impoundment subject to this Section in accordance with the following requirements:

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- 1) Transfer of hazardous waste, except as provided in subsection (e)(2) of this Section, to the surface impoundment from another surface impoundment subject to this Section or from a tank subject to Section 725.985 must be conducted using continuous hard-piping or another closed system that does not allow exposure of the waste to the atmosphere. For the purpose of complying with this provision, an individual drain system is considered to be a closed system when it meets the requirements of 40 CFR 63, Subpart RR, "National Emission Standards for Individual Drain Systems", incorporated by reference in 35 Ill. Adm. Code 720.111. The requirements of subsection (e)(1) of this Section do not apply when transferring a hazardous waste to the surface impoundment under either of the following conditions:
  - A) The hazardous waste meets the average VO concentration conditions specified in Section 725.983(c)(1) at the point of waste origination.
  - B) The hazardous waste has been treated by an organic destruction or removal process to meet the requirements in Section 725.983(c)(2).
- f) The owner or operator shall repair each defect detected during an inspection performed in accordance with the requirements of subsection (c)(3) or (d)(3) of this Section as follows:
  - 1) The owner or operator shall make first efforts at repair of the defect no later than five calendar days after detection, and repair must be completed as soon as possible but no later than 45 calendar days after detection except as provided in subsection (f)(2) of this Section.
  - 2) Repair of a defect may be delayed beyond 45 calendar days if the owner or operator determines that repair of the defect requires emptying or temporary removal from service of the surface impoundment and no alternative capacity is available at the site to accept the hazardous waste normally managed in the surface impoundment. In this case, the owner or operator shall repair the defect the next time the process or unit that is generating the hazardous waste managed in the tank stops operation. Repair of the defect must be completed before the process or unit resumes operation.
- g) Following the initial inspection and monitoring of the cover as required by the applicable provisions of this Subpart, subsequent inspection and monitoring may be performed at intervals longer than one year in the case when inspecting or monitoring the cover would expose a worker to dangerous, hazardous, or other unsafe conditions. In this case, the owner or operator may designate the cover as an "unsafe to inspect and monitor cover" and comply with all of the following requirements:
  - 1) Prepare a written explanation for the cover stating the reasons why the cover is unsafe to visually inspect or to monitor, if required.



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- 2) Develop and implement a written plan and schedule to inspect and monitor the cover using the procedures specified in the applicable Section of this Subpart as frequently as practicable during those times when a worker can safely access the cover.

(Source: Amended at 22 Ill. Reg. **17620**, effective **SEP 28 1998**)

### Section 725.988 Standards: Closed-Vent vent Systems and Control Devices

- a) This Section applies to each closed-vent system and control device installed and operated by the owner or operator to control air emissions in accordance with standards of this Subpart.

- b) The closed-vent system must meet the following requirements:
- 1) The closed-vent system must route the gases, vapors, and fumes emitted from the hazardous waste in the waste management unit to a control device that meets the requirements specified in subsection (c) of this Section.

- 2) The closed-vent system must be designed and operated in accordance with the requirements specified in Section 725.933(j).

- 3) When the closed-vent system includes bypass devices that could be used to divert the gas or vapor stream to the atmosphere before entering the control device, each bypass device must be equipped with either a flow indicator as specified in subsection (b)(3)(A) of this Section or a seal or locking device as specified in subsection (b)(3)(B) of this Section. For the purpose of complying with this subsection, low leg drains, high point bleeds, analyzer vents, open-ended valves or lines, spring-loaded pressure relief valves, and other fittings used for safety purposes are not considered to be bypass devices.

- A) If a flow indicator is used to comply with this subsection

(b)(3), the indicator must be installed at the inlet to the bypass line used to divert gases and vapors from the closed-vent system to the atmosphere at a point upstream of the control device inlet. For the purposes of this subsection, a flow indicator means a device which indicates the presence of either gas or vapor flow in the bypass line.

- B) If a seal or locking device is used to comply with this subsection (b)(3), the device must be placed on the mechanism by which the bypass device position is controlled (e.g., valve handle or damper lever) when the bypass device is in the closed position such that the bypass device cannot be opened without breaking the seal or removing the lock.

Examples of such devices include, but are not limited to, a car-seal or a lock-and-key configuration valve. The owner or operator shall visually inspect the seal or closure mechanism at least once every month to verify that the bypass mechanism is maintained in the closed position.

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- 4) The closed-vent system must be inspected and monitored by the owner or operator in accordance with the procedure specified in Section 725.933(k).

- c) The control device must meet the following requirements:

- 1) The control device must be one of the following devices:

- A) A control device designed and operated to reduce the total organic content of the inlet vapor stream vented to the control device by at least 95 percent by weight;
- B) An enclosed combustion device designed and operated in accordance with the requirements of Section 725.933(c); or
- C) A flare designed and operated in accordance with the requirements of Section 725.933(d).

- 2) The owner or operator that elects to use a closed-vent system and control device to comply with the requirements of this Section shall comply with the requirements specified in subsections (c)(2)(A) through (c)(2)(G) of this Section.

- A) Periods of planned routine maintenance of the control device, during which the control device does not meet the specifications of subsections (c)(1)(A), (c)(1)(B), or (c)(1)(C) of this Section, as applicable, must not exceed 240 hours per year.

- B) The specifications and requirements in subsections (c)(1)(A), (c)(1)(B), and (c)(1)(C) of this Section for control devices do not apply during periods of planned routine maintenance.

- C) The specifications and requirements in subsections (c)(1)(A), (c)(1)(B), and (c)(1)(C) of this Section for control devices do not apply during a control device system malfunction.

- D) The owner or operator shall demonstrate compliance with the requirements of subsection (c)(2)(A) of this Section (i.e., planned routine maintenance of a control device, during which the control device does not meet the specifications of subsections (c)(1)(A), (c)(1)(B), or (c)(1)(C) of this Section, as applicable, must not exceed 240 hours per year) by recording the information specified in Section 725.990(e)(1)(E).

- E) The owner or operator shall correct control device system malfunctions as soon as practicable after their occurrence in order to minimize excess emissions of air pollutants.

- F) The owner or operator shall operate the closed-vent system so that gases, vapors, or fumes are not actively vented to the control device during periods of planned maintenance or control device system malfunction (i.e., periods when the control device is not operating or not operating normally), except in cases when it is necessary to vent the gases, vapors, or fumes to avoid an unsafe condition or to implement malfunction corrective actions or planned

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## maintenance actions.

- 3) The owner or operator using a carbon adsorption system to comply with subsection (c)(1) of this Section shall operate and maintain the control device in accordance with the following requirements:

- A) Following the initial startup of the control device, all activated carbon in the control device must be replaced with the fresh carbon on a regular basis in accordance with the requirements of Section 725.933(g) or 725.933(h).
- B) All carbon removed from the control device must be managed in accordance with the requirements of Section 725.933(m).
- 4) An owner or operator using a control device other than a thermal vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system to comply with subsection (c)(1) of this Section shall operate and maintain the control device in accordance with the requirements of Section 725.933(i).
- 5) The owner or operator shall demonstrate that a control device achieves the performance requirements of subsection (c)(1) of this Section as follows:
  - A) An owner or operator shall demonstrate using either a performance test, as specified in subsection (c)(5)(C) of this Section, or a design analysis, as specified in subsection (c)(5)(D) of this Section, the performance of each control device except for the following:
    - i) A flare;
    - ii) A boiler or process heater with a design heat input capacity of 44 megawatts or greater;
    - iii) A boiler or process heater into which the vent stream is introduced with the primary fuel;
    - iv) A boiler or industrial furnace burning hazardous waste for which the owner or operator has been issued a final permit under 35 Ill. Adm. Code 702, 703, and 705 and has designed and operates in accordance with the requirements of 35 Ill. Adm. Code 726.Subpart H; or
    - v) A boiler or industrial furnace burning hazardous waste for which the owner or operator has designed and operates in accordance with the interim status requirements of 35 Ill. Adm. Code 726.Subpart H.

- B) An owner or operator shall demonstrate the performance of each flare in accordance with the requirements specified in Section 725.933(e).
- C) For a performance test conducted to meet the requirements of subsection (c)(5)(A) of this Section, the owner or operator shall use the test methods and procedures specified in Section 725.934(c)(1) through (c)(4).
- D) For a design analysis conducted to meet the requirements of subsection (c)(5)(A) of this Section, the design analysis must meet the requirements specified in Section 725.935(b)(4)(C).

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- E) The owner or operator shall demonstrate that a carbon adsorption system achieves the performance requirements of subsection (c)(1) of this Section based on the total quantity of organics vented to the atmosphere from all carbon adsorption system equipment that is used for organic adsorption, organic desorption or carbon regeneration, organic recovery, and carbon disposal.

- 6) If the owner or operator and the Agency do not agree on a demonstration of control device performance using a design analysis, then the disagreement must be resolved using the results of a performance test performed by the owner or operator in accordance with the requirements of subsection (c)(5)(C) of this Section. The Agency may choose to have an authorized representative observe the performance test.
- 7) The control device must be inspected and monitored by the owner or operator in accordance with the procedures specified in Section 725.933725-i093(f)(2) and (k). The readings from each monitoring device required by Section 725.933725-i093(f)(2) must be inspected at least once each operating day to check control device operation. Any necessary corrective measures must be immediately implemented to ensure the control device is operated in compliance with the requirements of this Section.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998)

## Section 725.989 Inspection and Monitoring Requirements

- a) The owner or operator shall inspect and monitor air emission control equipment used to comply with this Subpart in accordance with the requirements specified in Sections 725.985 through 725.988.
- b) The owner or operator shall develop and implement a written plan and schedule to perform the inspections and monitoring required by subsection (a) of this Section. The owner or operator shall incorporate this plan and schedule into the facility inspection plan required under Section 725.115 265-i15.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998)

## Section 725.990 Recordkeeping Requirements

- a) Each owner or operator of a facility subject to requirements in this Subpart shall record and maintain the information specified in the subsections (b) through (i) of this Section, as applicable to the facility. Except for air emission control equipment design documentation and information required by subsection (i) of this Section, records required by this Section must be maintained in the

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operating record for a minimum of three years. Air emission control equipment design documentation must be maintained in the operating record until the air emission control equipment is replaced or is otherwise no longer in service. Information required by subsection (i) of this Section must be maintained in the operating record for as long as the tank or container is not using air emission controls specified in Sections 724.984, 264-994 through 724.987, in accordance with the conditions specified in Section 724.984(d).

b) The owner or operator of a tank using air emission controls in accordance with the requirements of Section 725.985 shall prepare and maintain records for the tank that include the following information:

1) For each tank using air emission controls in accordance with the requirements of Section 725.985 of this Subpart, the owner or operator shall record:

A) A tank identification number (or other unique identification description as selected by the owner or operator).

B) A record for each inspection required by Section 725.985 that includes the following information:

i) Date inspection was conducted.

ii) For each defect detected during the inspection, the following information: the location of the defect, a description of the defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with the provisions of Section 725.985, the owner or operator shall also record the reason for the delay and the date that completion of repair of the defect is expected.

2) In addition to the information required by subsection (b)(1) of this Section, the owner or operator shall record the following information, as applicable to the tank:

A) The owner or operator using a fixed roof to comply with the Tank Level 1 control requirements specified in Section 725.985(c) shall prepare and maintain records for each determination for the maximum organic vapor pressure of the hazardous waste in the tank performed in accordance with the requirements of Section 725.985(c). The records must include the date and time the samples were collected, the analysis method used, and the analysis results.

B) The owner or operator using an internal floating roof to comply with the Tank Level 2 control requirements specified in Section 725.985(e) shall prepare and maintain documentation describing the floating roof design.

C) Owners and operators using an external floating roof to comply with the Tank Level 2 control requirements specified in Section 725.985(f) shall prepare and maintain the following records:

i) Documentation describing the floating roof design and

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the dimensions of the tank.

ii) Records for each seal gap inspection required by Section 725.985(f)(3) describing the results of the seal gap measurements. The records must include the date that the measurements were performed, the raw data obtained for the measurements, and the calculations of the total gap surface area. In the event that the seal gap measurements do not conform to the specifications in Section 725.985(f)(1), the records must include a description of the repairs that were made, the date the repairs were made, and the date the tank was emptied, if necessary.

D) Each owner or operator using an enclosure to comply with the Tank Level 2 control requirements specified in Section 725.985(i) shall prepare and maintain the following records:

i) Records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in "procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B, incorporated by reference in 35 Ill. Adm. Code 720.111.

ii) Records required for the closed-vent system and control device in accordance with the requirements of subsection (e) of this Section.

c) The owner or operator of a surface impoundment using air emission controls in accordance with the requirements of Section 725.986 shall prepare and maintain records for the surface impoundment that include the following information:

1) A surface impoundment identification number (or other unique identification description as selected by the owner or operator).

2) Documentation describing the floating membrane cover or cover design, as applicable to the surface impoundment, that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in Section 725.986(c).

3) A record for each inspection required by Section 725.986 that includes the following information:

A) Date inspection was conducted.

B) For each defect detected during the inspection the following information: the location of the defect, a description of the defect, the date of detection, and corrective action taken to repair the defect. In the event that repair of the defect is delayed in accordance with the provisions of Section 725.986(f), the owner or operator shall also record the reason for the delay and the date that completion of



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- repair of the defect is expected.
- 4) For a surface impoundment equipped with a cover and vented through a closed-vent system to a control device, the owner or operator shall prepare and maintain the records specified in subsection (e) of this Section.
- d) The owner or operator of containers using Container Level 3 air emission controls in accordance with the requirements of Section 725.987 shall prepare and maintain records that include the following information:
- 1) Records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure as specified in "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B, incorporated by reference in 35 Ill. Adm. Code 720.111.
  - 2) Records required for the closed-vent system and control device in accordance with the requirements of subsection (e) of this Section.
- e) The owner or operator using a closed-vent system and control device in accordance with the requirements of Section 725.988 shall prepare and maintain records that include the following information:
- 1) Documentation for the closed-vent system and control device that includes:
    - A) Certification that is signed and dated by the owner or operator stating that the control device is designed to operate at the performance level documented by a design analysis as specified in subsection (e)(1)(B) of this Section or by performance tests as specified in subsection (e)(1)(C) of this Section when the tank, surface impoundment, or container is or would be operating at capacity or the highest level reasonably expected to occur.
    - B) If a design analysis is used, then design documentation, as specified in Section 725.935 725-935(b)(4). The documentation must include information prepared by the owner or operator or provided by the control device manufacturer or vendor that describes the control device design in accordance with Section 725.935 725-935(b)(4)(C) and certification by the owner or operator that the control equipment meets the applicable specifications.
    - C) If performance tests are used, then a performance test plan as specified in Section 725.935 725-935(b)(3) and all test results.
    - D) Information as required by Section 725.935(c)(1) 40-EPR 265-935(c)(1) and Section 725-935(c)(2), as applicable.
    - E) An owner or operator shall record, on a semiannual basis, the information specified in subsections (e)(1)(E)(i) and (e)(1)(E)(ii) of this Section for those planned routine maintenance operations that would require the control device

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- not to meet the requirements of Section 725.988(c)(1)(A), (c)(1)(B), or (c)(1)(C), as applicable.
- i) A description of the planned routine maintenance that is anticipated to be performed for the control device during the next six-month period. This description must include the type of maintenance necessary, planned frequency of maintenance, and lengths of maintenance periods.
  - ii) A description of the planned routine maintenance that was performed for the control device during the previous six-month period. This description must include the type of maintenance performed and the total number of hours during those six months that the control device did not meet the requirements of Section 725.988(c)(1)(A), (c)(1)(B), or (c)(1)(C), as applicable, due to planned routine maintenance.
- F) An owner or operator shall record the information specified in subsections (e)(1)(F)(i) through (e)(1)(F)(iii) of this Section for those unexpected control device system malfunctions that would require the control device not to meet the requirements of Section 725.988(c)(1)(A), (c)(1)(B), or (c)(1)(C), as applicable.
- i) The occurrence and duration of each malfunction of the control device system.
  - ii) The duration of each period during a malfunction when gases, vapors, or fumes are vented from the waste management unit through the closed-vent system to the control device while the control device is not properly functioning.
  - iii) Actions taken during periods of malfunction to restore a malfunctioning control device to its normal or usual manner of operation.
- G) Records of the management of carbon removed from a carbon adsorption system conducted in accordance with Section 725.988(c)(3)(B).
- f) The owner or operator of a tank, surface impoundment, or container exempted from standards in accordance with the provisions of Section 725.983(c) of this Subpart shall prepare and maintain the following records, as applicable:
- 1) For tanks, surface impoundments, or containers exempted under the hazardous waste organic concentration conditions specified in Section 725.983(c)(1) or (c)(2) of this Subpart, the owner or operator shall record the information used for each waste determination (e.g., test results, measurements, calculations, and other documentation) in the facility operating log. If analysis results for waste samples are used for the waste determination, then the owner or operator shall record the date, time, and location that each waste sample is collected in

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accordance with applicable requirements of Section 725.984 of this Subpart.

- 2) For tanks, surface impoundments, or containers exempted under the provisions of Section 725.983(c)(2)(Gv##) or Section 725.983(c)(2)(Hv##) of this Subpart, the owner or operator shall record the identification number for the incinerator, boiler, or industrial furnace in which the hazardous waste is treated.

- g) An owner or operator designating a cover as "unsafe to inspect and monitor" pursuant to Section 725.985(1) shall record in a log that is kept in the facility operating record the following information: the identification numbers for waste management units with covers that are designated as "unsafe to inspect and monitor", the explanation for each cover stating why the cover is unsafe to inspect and monitor, and the plan and schedule for inspecting and monitoring each cover.

- h) The owner or operator of a facility that is subject to this Subpart and to the control device standards in 40 CFR 60, Subpart VV, or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 270.111, may elect to demonstrate compliance with the applicable Sections of this Subpart by documentation either pursuant to this Subpart, or pursuant to the provisions of 40 CFR 60, Subpart VV or 40 CFR 61, Subpart V, to the extent that the documentation required by 40 CFR 60 or 61 duplicates the documentation required by this Section.

- i) For each tank or container not using air emission controls specified in Sections 725.985 through 725.988 in accordance with the conditions specified in Section 725.980(d), the owner or operator shall record and maintain the following information:

- 1) A list of the individual organic peroxide compounds manufactured at the facility that meet the conditions specified in Section 725.980(d)(1).

- 2) A description of how the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) are managed at the facility in tanks and containers. This description must include the following information:

- A) For the tanks used at the facility to manage this hazardous waste, sufficient information must be provided to describe each tank: a facility identification number for the tank, the purpose and placement of this tank in the management train of this hazardous waste, and the procedures used to ultimately dispose of the hazardous waste managed in the tanks.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to describe the following for each container: a facility identification number for the container or group of containers; the purpose and placement of this container or group of containers in the management train of this hazardous waste; and the procedures used to ultimately dispose of the hazardous waste handled in the containers.

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- 3) An explanation of why managing the hazardous waste containing the organic peroxide compounds identified pursuant to subsection (i)(1) of this Section in the tanks or containers identified pursuant to subsection (i)(2) of this Section would create an undue safety hazard if the air emission controls specified in Sections 725.985 through 725.988 were installed and operated on these waste management units. This explanation must include the following information:

- A) For tanks used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the tanks would affect the tank design features and facility operating procedures currently used to prevent an undue safety hazard during the management of this hazardous waste in the tanks; and why installation of safety devices on the required air emission controls, as allowed under this Subpart, would not address those situations in which evacuation of tanks equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

- B) For containers used at the facility to manage this hazardous waste, sufficient information must be provided to explain: how use of the required air emission controls on the containers would affect the container design features and handling procedures currently used to prevent an undue safety hazard during management of this hazardous waste in the containers; and why installation of safety devices on the required air emission controls, as allowed under this Subpart, would not address those situations in which evacuation of containers equipped with these air emission controls is necessary and consistent with good engineering and safety practices for handling organic peroxides.

(Source: Amended at 22 Ill. Reg. 17620, effective SEP 28 1998)

## SUBPART EE: HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

## Section 725.1200 Applicability

The requirements of this Subpart EE apply to owners or operators who store munitions and explosive hazardous wastes, except as Section 725.101 provides otherwise.

BOARD NOTE: Depending on explosive hazards, hazardous waste munitions and explosives may also be managed in other types of storage units, including containment buildings (Subpart DD of this Part), tanks (Subpart J of this Part), or containers (Subpart I of this Part); see 35 Ill. Adm. Code 726.305



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for storage of waste military munitions.

(Source: Added at 22 Ill. Reg. **17620** effective

**SEP 28 1998**

## Section 725.1201 Design and Operating Standards

a) An owner or operator of a hazardous waste munitions and explosives storage unit shall design and operate the unit with containment systems, controls, and monitoring that fulfill each of the following requirements:

- 1) The owner or operator minimizes the potential for detonation or other means of release of hazardous waste, hazardous constituents, hazardous decomposition products, or contaminated run-off to the soil, ground water, surface water, and atmosphere;
- 2) The owner or operator provides a primary barrier, which may be a container (including a shell) or tank, designed to contain the hazardous waste;
- 3) For wastes stored outdoors, the owner or operator provides that the waste and containers will not be in standing precipitation;
- 4) For liquid wastes, the owner or operator provides a secondary containment system that assures that any released liquids are contained and promptly detected and removed from the waste area or a vapor detection system that assures that any released liquids or vapors are promptly detected and an appropriate response taken (e.g., additional containment, such as overpacking or removal from the waste area); and
- 5) The owner or operator provides monitoring and inspection procedures that assure the controls and containment systems are working as designed and that releases that may adversely impact human health or the environment are not escaping from the unit.

b) Hazardous waste munitions and explosives stored under this Subpart EE may be stored in one of the following:

- 1) Earth-covered magazines. The owner or operator of an earth-covered magazine shall fulfill each of the following requirements:

A) The magazine is constructed of waterproofed, reinforced concrete or structural steel arches, with steel doors that are kept closed when not being accessed;

B) The magazine is so designed and constructed that it fulfills each of the following requirements:

- i) The magazine is of sufficient strength and thickness to support the weight of any explosives or munitions stored and any equipment used in the unit;
- ii) The magazine provides working space for personnel and equipment in the unit; and
- iii) The magazine can withstand movement activities that occur in the unit; and

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C) The magazine is located and designed, with walls and earthen covers that direct an explosion in the unit in a safe direction, so as to minimize the propagation of an explosion to adjacent units and to minimize other effects of any explosion.

- 2) Above-ground magazines. Above-ground magazines must be located and designed so as to minimize the propagation of an explosion to adjacent units and to minimize other effects of any explosion.
- 3) Outdoor or open storage areas. Outdoor or open storage areas must be located and designed so as to minimize the propagation of an explosion to adjacent units and to minimize other effects of any explosion.

c) An owner or operator shall store hazardous waste munitions and explosives in accordance with a Standard Operating Procedure that specifies procedures which ensure safety, security, and environmental protection. If these procedures serve the same purpose as the security and inspection requirements of Section 725.114, the preparedness and prevention procedures of Subpart C of this Part, and the contingency plan and emergency procedures requirements of Subpart of this Part, then the Standard Operating Procedure may be used to fulfill those requirements.

d) An owner or operator shall package hazardous waste munitions and explosives to ensure safety in handling and storage.

e) An owner or operator shall inventory hazardous waste munitions and explosives at least annually.

f) An owner or operator shall inspect and monitor hazardous waste munitions and explosives and their storage units as necessary to ensure explosives safety and to ensure that there is no migration of contaminants out of the unit.

(Source: Added **SEP 28 1998** 22 Ill. Reg. **17620** effective

## Section 725.1202 Closure and Post-Closure Care

a) At closure of a magazine or unit that stored hazardous waste under this Subpart, the owner or operator shall remove or decontaminate all waste residues, contaminated containment system components, contaminated subsoils, and structures and equipment contaminated with waste and manage them as hazardous waste unless 35 Ill. Adm. Code 721.103(d) applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for magazines or units must meet all of the requirements specified in Subparts G and H of this Part, except that the owner or operator may defer closure of the unit as long as it remains in service as a munitions or explosives magazine or storage unit.

b) If, after removing or decontaminating all residues and making all reasonable efforts to effect removal or decontamination of



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contaminated components, subsoils, structures, and equipment as required in subsection (a) of this Section, the owner or operator finds that not all contaminated subsoils can be practicably removed or decontaminated, the owner or operator shall close the facility and perform post-closure care in accordance with the closure and post-closure requirements that apply to landfills (see 35 Ill. Adm. Code 724.410).

(Source: Added at 22 Ill. Reg. 17620, effective

SEP 23 1998)

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Section 725, APPENDIX F Compounds With Henry's Law Constant Less Than 0.1 Y/X  
(at 25°C)

Compound name	CAS No.
Acetaldol	107-89-1
Acetamide	60-35-5
2-Acetylaminofluorene	53-96-3
3-Acetyl-5-hydroxypiperidine	618-42-8
3-Acetylpyrrolidine	591-08-2
1-Acetyl-2-thiourea	79-06-1
Acrylamide	79-10-7
Acrylic acid	73-24-5
Adenine	124-04-9
Adipic acid	111-69-3
Adiponitrile	15972-60-8
Alachlor	116-06-3
Aldicarb	834-12-8
Ametryn	92-67-1
4-Aminobiphenyl	504-24-5
4-Aminopyridine	62-53-3
Aniline	90-04-0
o-Anisidine	84-65-1
Anthraquinone	1912-24-9
Atrazine	98-05-5
Benzeneearsonic acid	98-11-3
Benzenesulfonic acid	92-87-5
Benzidine	56-55-3
Benzo(a)anthracene	207-08-9
Benzo(k)fluoranthene	65-85-0
Benzoic acid	191-24-2
Benzo(g,h,i)perylene	50-32-8
Benzo(a)pyrene	100-51-6
Benzyl alcohol	58-89-9
gamma-BHC	117-81-7
Bis(2-ethylhexyl)phthalate	1689-84-5
Bromochloromethyl acetate	107-92-6
Bromoxynil	105-60-2
Butyric acid	120-80-9
Caprolactam (hexahydro-2H-azepin-2-one)	9004-34-6
Catechol(o-dihydroxybenzene)	
Cellulose	
Cell wall	
Chlorhydrin (3-Chloro-1,2-propanediol)	96-24-2
Chloroacetic acid	79-11-8
2-Chloroacetophenone	93-76-5
p-Chloroaniline	106-47-8
p-Chlorobenzophenone	134-85-0

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Chlorobenzylate	510-15-6
p-Chloro-m-cresol (6-chloro-m-cresol)	59-50-7
3-Chloro-2,5-diketopyrrolidine	
Chloro-1,2-ethane diol	106-48-9
4-Chlorophenol	95-57-8 & 106-48-9
Chlorophenol polymers (2-chlorophenol & 4-chlorophenol)	
1-(o-Chlorophenyl)thiourea	5344-82-1
Chrysene	218-01-9
Citric acid	77-92-9
Creosote	8001-58-9
m-Cresol	108-39-4
o-Cresol	95-48-7
p-Cresol	106-44-5
Cresol (mixed isomers)	1319-77-3
4-Cumylphenol	27576-86
Cyanide	57-12-5
4-Cyanomethyl benzoate	
Diazinon	333-41-5
Dibenzo(a,h)anthracene	53-70-3
3,5-Dibromo-4-hydroxybenzonitrile	1689-84-5
Dibutylphthalate	84-74-2
2,5-Dichloroaniline (N,N'-dichloroaniline)	95-82-9
2,6-Dichlorobenzonitrile	1194-65-6
2,6-Dichloro-4-nitroaniline	99-30-9
2,5-Dichlorophenol	
3,4-Dichlorotetrahydrofuran	3511-19
Dichlorvos	106-47-8
Diethanolamine	111-42-2
N,N-Diethylaniline	91-66-7
Diethylene glycol	111-46-6
Diethylene glycol dimethyl ether (dimethyl Carbitol)	111-96-6
Diethylene glycol monobutyl ether (butyl Carbitol)	112-34-5
Diethylene glycol monoethyl ether acetate (Carbitol acetate)	112-15-2
Diethylene glycol monoethyl ether (Carbitol Cellosolve)	111-90-0
Diethylene glycol monomethyl ether (methyl Carbitol)	
N,N'-Diethylhydrazine	111-77-3
Diethyl(4-methylumbelliferyl)thionophosphate	1615-80-1
Diethylphosphorothioate	299-45-6
N,N'-Diethylpropionamide	126-75-0
Dimethoate	15299-99-7
4-Dimethylaminoazobenzene	60-51-5
7,12-Dimethylbenz(a)anthracene	60-11-7
3,3-Dimethylbenzidine	57-97-6
Dimethylcarbomoyl chloride	119-93-7
	79-44-7

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Dimethylsulfide	624-92-0
Dimethylformamide	68-12-2
1,1-Dimethylhydrazine	57-14-7
Dimethylphthalate	131-11-3
Dimethylsulfone	67-71-0
Dimethylsulfoxide	67-68-5
2,3-Dimethoxystrychnidin-10-one	357-57-3
4,6-Dinitro-o-cresol	534-52-1
1,2-Diphenylhydrazine	122-66-7
Dipropylene glycol (1,1'-oxydi-2-propanol)	110-98-5
Endrin	72-20-8
Epinephrine	51-43-4
Ethyl carbamate (urethane)	51-79-6
Ethylene glycol	107-21-1
Ethylene glycol monobutyl ether (butyl Cellosolve)	111-76-2
Ethylene glycol monoethyl ether (Cellosolve)	110-80-5
Ethylene glycol monoethyl ether acetate (Cellosolve acetate)	111-15-9
Ethylene glycol monomethyl ether (methyl Cellosolve)	109-86-4
Ethylene glycol monophenyl ether (phenyl Cellosolve)	122-99-6
Ethylene glycol monopropyl ether (propyl Cellosolve)	2807-30-9
Ethylene thiourea (2-imidazolidinethione)	9-64-57
4-Ethylmorpholine	100-74-3
3-Ethylphenol	620-17-7
Fluoroacetic acid, sodium salt	62-74-8
Formaldehyde	50-00-0
Formamide	75-12-7
Formic acid	64-18-6
Fumaric acid	110-17-8
Glutaric acid	110-94-1
Glycerin (Glycerol)	56-81-5
Glycidol	556-52-5
Glycinamide	598-41-4
Glyphosate	1071-83-6
Guthion	86-50-0
Hexamethylene-1,6-diisocyanate (1,6-diisocyanatohexane)	822-06-0
Hexamethyl phosphoramide	680-31-9
Hexanoic acid	142-62-1
Hydrazine	302-01-2
Hydrocyanic acid	74-90-8
Hydroquinone	123-31-9
Hydroxy-2-propionitrile (hydracrylonitrile)	109-78-4
Indeno(1,2,3-cd)pyrene	193-39-5
Lead acetate	301-04-2
Lead subacetate (lead acetate, monobasic)	1335-32-6
Leucine	61-90-5
Malathion	121-75-5
Maleic acid	110-16-7

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Maleic anhydride  
 Mesityl oxide  
 Methane sulfonic acid  
 Methomyl  
 p-Methoxyphenol  
 Methylacrylate  
 4,4'-Methylene-bis-(2-chloroaniline)  
 4,4'-Methylenediphenyl diisocyanate (diphenyl methane diisocyanate)  
 4,4'-Methylenedianiline  
 Methylene diphenylamine (MDA)  
 5-Methylfurfural  
 Methylhydrazine  
 Methyliminoacetic acid  
 Methyl methane sulfonate  
 1-Methyl-2-methoxyaziridine  
 Methylparathion  
 4-Methylthiophenol  
 Monoethanolamine  
 Monomethylformamide (N-methylformamide)  
 Nabam  
 alpha-Naphthol  
 beta-Naphthol  
 alpha-Naphthylamine  
 beta-Naphthylamine  
 Neopentyl glycol  
 Niacinamide  
 o-Nitroaniline  
 Nitroglycerin  
 2-Nitrophenol  
 4-Nitrophenol  
 N-Nitrosodimethylamine  
 Nitrosoguanidine  
 N-Nitroso-n-methylurea  
 N-Nitrosomorpholine (4-nitrosomorpholine)  
 Oxalic acid  
 Parathion  
 Pentaerythritol  
 Phenacetin  
 Phenol  
 Phenylacetic acid  
 m-Phenylene diamine  
 o-Phenylene diamine  
 p-Phenylene diamine  
 Phenyl mercuric acetate  
 Phorate  
 Phthalic anhydride

108-31-6  
 141-79-7  
 75-75-2  
 16752-77-5  
 150-76-5  
 96-33-3  
 101-14-4  
 101-68-8  
 101-77-9  
 620-02-0  
 60-34-4  
 66-27-3  
 298-00-0  
 77-78-1  
 106-45-6  
 141-43-5  
 123-39-7  
 142-59-6  
 90-15-3  
 135-19-3  
 134-32-7  
 91-59-8  
 126-30-7  
 98-92-0  
 88-74-4  
 55-63-0  
 88-75-5  
 100-02-7  
 62-75-9  
 674-81-7  
 684-93-5  
 59-89-2  
 144-62-7  
 56-38-2  
 115-77-5  
 108-95-2  
 103-82-2  
 108-45-2  
 95-54-5  
 106-50-3  
 62-38-4  
 298-02-2  
 85-44-9

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alpha-Picoline (2-methyl pyridine)  
 1,3-Propane sulfone  
 beta-Propiolactone  
 Proporur (Baygon)  
 Propylene glycol  
 Pyrene  
 129-00-0  
 39416-48-3  
 91-22-5  
 106-51-4  
 108-46-3  
 122-34-9  
 127-09-3  
 141-53-7  
 57-24-9  
 110-15-6  
 123-56-8  
 121-47-1  
 100-21-0  
 3689-24-5  
 112-57-2  
 39196-18-4  
 79-19-6  
 95-80-7  
 823-40-5  
 496-72-0  
 584-84-9  
 99-94-5  
 108-44-1  
 76-13-1  
 102-71-6  
 24800-44-0  
 81-81-2  
 95-65-8

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effective

(Source: Amended SEP 28 1998)



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Land Disposal Restrictions2) Code citation: 35 Ill. Adm. Code 7283) Section Numbers: Adopted Action:

728.101 Amended  
 728.104 Amended  
 728.107 Amended  
 728.109 Amended  
 728.130 Repealed, New  
 728.132 Repealed  
 728.133 Repealed  
 728.134 Repealed  
 728.135 Repealed  
 728.136 Repealed  
 728.144 Amended  
 728.Appendix A Repealed  
 728.Appendix B Repealed  
 728.Appendix C Repealed  
 728.Appendix F Amended  
 728.Appendix G Amended  
 728.Appendix H Amended  
 728.Appendix J Repealed  
 728.Table C Amended  
 728.Table H Amended  
 728.Table I Added  
 728.Table T Amended  
 728.Table U Amended

4) Statutory authority: 415 ILCS 5/22.4 and 275) Effective date of amendments: September 28, 19986) Does this rulemaking contain an automatic repeal date?: No

7) Do these amendments contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738 and 739. The text of Part 728 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations.

8) Statement of availability: A copy of adopted amendments and the Board's opinion and order of August 20, 1998 and all materials incorporated by reference are on file at the Board's principal office and are available for public inspection and copying.

9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Reg. 9884

10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised	Revision(s)
728 Table of Contents	Added "(Repealed)" to entry for Sections 728.Appendices A, B, C, and J
728.101(c)(4)	Reorganized subsections (c)(4)(A) through (c)(4)(D) to appear as (c)(4)(A)(i) through (c)(4)(A)(iii) and (c)(4)(B); added "Any of the following is true of either treatment or management of the waste:" as a heading for subsection (c)(4)(A)
728.101(c)(4)(A)(i)	Deleted unnecessary ending conjunction "or"
728.101(e)(4)	Corrected "per cent" to "percent"
728.108(f)	Removed overstruck "268.150" and underlining from "728.150"
728.101(g)	Corrected to singular "Section"
728.104(a)	Added "all of the following conditions are fulfilled"
728.104(a)(2)(D)	Corrected ending punctuation to a semicolon
728.104(a)(3)	Added "any of the following conditions are fulfilled"
728.104(a)(3)(A)	Changed "it" to "the impoundment"; removed unnecessary ending conjunction "or"

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

728.104(a)(3)(B) Added "fulfills all of the following conditions"

728.104(a)(3)(B)(i) Added "the impoundment"

728.104(a)(3)(B)(ii) Added "the impoundment"

728.104(a)(3)(B)(iii) Added "the impoundment"; remove unnecessary ending comma

728.104(a)(3)(C) Changed ending punctuation to a semicolon

728.107(a)(1) Standardized reference to "SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure), incorporated by reference in 35 Ill. Adm. Code 720.111"

728.107(a)(4) Changed references to "728.Subpart" to "Subpart"

728.107(a)(5) Changed "which" to "that"

728.107(a)(5)(C) Corrected cross-reference to "subsection (a)(3) of this Section"

728.107(a)(6) Standardized reference to "SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure), incorporated by reference in 35 Ill. Adm. Code 720.111"

728.107(a)(7) Changed "that" to "which"; added "which is"; removed unnecessary commas (twice)

728.107(a)(8) Corrected internal reference from "this paragraph" to "this subsection (a)(8)"

728.107(a)(8)(A) Removed unnecessary comma

728.107(b)(1) Standardized reference to "SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure), incorporated by reference in 35 Ill. Adm. Code 720.111"; changed "treatment residues or extract meet" to "treatment residues extract meets"

728.107(b)(3) Removed redundant word "waste"

## POLLUTION CONTROL BOARD

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728.107(b)(3)(B) Removed unnecessary commas (two) from "F001-F005 and F039 and underlying hazardous constituents"

728.107(b)(4)(B) Removed unnecessary commas after closing parenthesis; changed "this paragraph" to "this subsection (b)(4)"

728.107(c)(2) Removed unnecessary comma after word "waste"; standardized reference to "SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure), incorporated by reference in 35 Ill. Adm. Code 720.111"

728.107(d)(3)(C) Placed quoted certification statement into separated indented paragraph and removed quotation marks

728.109(a) Removed overstrike to retain word "treatment"; added conjunction "or" before final element of a series

728.109(d) Changed "below" to "of this Section"; changed reference to "subtitle D" to "RCRA Subtitle D (municipal solid waste landfill)"

728.109(d)(2) Corrected cross-reference to "Section 728.107(b)(4)"; removed overstrike to keep the end sentence

728.130(c) Added "of" after "disposed"

728.130(d)(1) Corrected "725.Subpart" to "Subpart"

728.130(e) Removed unnecessary comma before conjunction "and"

728.144(e) Corrected reference to "415 ILCS 5/28.1(d)(3)"

728.144(m) Added sentence explaining source of this provision

728.144(n) Added explanation of absence of corresponding federal provision

728.144(p) Added explanation of absence of corresponding federal provision

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

728.Appendix A Added "(Repealed)" to Section heading

728.Appendix B Added "(Repealed)" to Section heading

728.Appendix C Added "(Repealed)" to Section heading

728.Appendix F Corrected reference to "Section 728.102(1)"; changed "the following appendix" to "this appendix"

728.Appendix F, Table 1 Changed "1%" to "one percent"; changed "10%" to "10 percent"

728.Appendix F, Table 1 Changed "1%" to "one percent"

728.Appendix F, Table 1 Added closing period in third column (both entries)

728.Appendix G, Table 1 Added closing period in third column (both entries)

728.Appendix G, Table 1 Added closing period in third column (both entries)

728.Appendix G, Table 1 Removed closing period in second column (first two entries)

728.Appendix G, Table 1 Removed closing period in second column (first two entries)

728.Appendix G, Table 1 Added closing period in third column (first entry)

728.Appendix G, Table 1 Changed "59 FR 47982 (Sep. 19, 1994)" to "59 Fed. Reg. 47982 (Sept. 19, 1994)"; changed "&" to "and"

728.Appendix G, Table 1 Changed "FR" to "Fed. Reg."

728.Appendix G, Table 2 Changed "1%" to "one percent"

728.Appendix H "D023" Changed "mixed radioactive waste" to "mixed with radioactive waste"

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

728.Appendix H "D024" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D025" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D026" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D027" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D028" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D029" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D030" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D031" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D032" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D033" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D034" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D035" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D036" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D037" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D038" Changed "mixed radioactive waste" to "mixed with radioactive waste"

728.Appendix H "D039" Changed "mixed radioactive waste" to "mixed with radioactive waste"



## POLLUTION CONTROL BOARD

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- 728.Appendix H "D040" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Appendix H "D041" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Appendix H "D042" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Appendix H "D043" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Appendix H "F032" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Appendix H "F034" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Appendix H "F035" Changed "mixed radioactive waste" to "mixed with radioactive waste"
- 728.Table C "POLYM" Removed hyphen from "nonwastewaters"; changed "which" to "that"
- 728.Table I column headings Used lower case for "which"; capitalized "is"
- 728.Table I entry "1" Changed "EPA Hazardous Waste and Manifest numbers" to "USEPA hazardous waste and manifest numbers"
- 728.Table I entry "3" Changed "F001-F005, and F039" to "F001 through F005 and F039"
- 728.Table I entry "4" Removed redundant "Section"
- 728.Table I Source Note Corrected action type
- 728.Table T "D001 high TOC" Changed "&" to "percent"
- 728.Table T "F032" Added closing parenthesis to perentheticals attached to entries for "benzo(b)fluoranthene" and "benzo(k)fluoranthene"
- 728.Table T "F034" Added closing parenthesis to perentheticals attached to entries for "benzo(b)fluoranthene" and "benzo(k)fluoranthene"

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- 728.Table T "P001" Changed "&" to "percent"
- 728.Table T "P122" Changed "&" to "percent"
- 728.Table T "U248" Changed "&" to "percent"
- 728.Table T "U249" Changed "&" to "percent"
- 728.Table T note 4 Removed amendment that would have reversed relative positions of comma and closing quotation mark
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Illinois Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.
- This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:
- R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.
- R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.

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- 62 Fed. Reg. 6621  
(February 12, 1997)  
USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.
- 62 Fed. Reg. 7502  
(February 19, 1997)  
USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.
- 62 Fed. Reg. 25998  
(May 12, 1997)  
USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.
- 62 Fed. Reg. 32452  
(June 13, 1997)  
USEPA amended the hazardous waste testing and monitoring regulations.
- 62 Fed. Reg. 32974  
(June 17, 1997)  
USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal C.F.R. correction of November 4, 1996, and the January 13, 1997, federal change in the Enviro hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEP amendments:

- 61 Fed. Reg. 34251  
(July 1, 1996)  
CESQG waste rules.
- 62 Fed. Reg. 1834  
(January 14, 1997)  
Amendments to USEPA addresses.
- 62 Fed. Reg. 6621  
(February 12, 1997)  
Military munitions rules.
- 62 Fed. Reg. 25998  
(May 12, 1997)  
Phase IV land disposal restriction amendments.

POLLUTION CONTROL BOARD  
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- R98-5  
Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.  
The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728 and 738. The following table briefly summarizes the federal actions in these periods:
- 61 Fed. Reg. 34251  
(July 1, 1996)  
USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.
- 61 Fed. Reg. 36419  
(July 10, 1996)  
USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.
- 61 Fed. Reg. 40520  
(August 5, 1996)  
USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.
- 61 Fed. Reg. 43927  
(August 26, 1996)  
USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.
- 61 Fed. Reg. 56631  
(November 4, 1996)  
USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 CFR 266.100(c)(3)(i)) due to the fact that segments were missing from the text.
- 61 Fed. Reg. 59931  
(November 25, 1996)  
USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).
- 62 Fed. Reg. 1678  
(January 13, 1997)  
USEPA adopted a change in name and ownership of Enviro Corp.
- 62 Fed. Reg. 1834  
(January 14, 1997)  
USEPA amended the addresses for its Region V headquarters.
- 62 Fed. Reg. 1991  
(January 14, 1997)  
USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

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62 Fed. Reg. 32452  
(June 13, 1997)

Amended hazardous waste testing and monitoring rules.

Specifically, the amendments to Part 728 implement the May 12, 1997, Phase IV land disposal restrictions.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agyeman, at 312-814-3620. Please refer to consolidated docket number R97-21/R98- 3/R98-5.

The full text of the Adopted Amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 728

## LAND DISPOSAL RESTRICTIONS

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AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R87-5 at 11 Ill. Reg. 19354, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13046, effective July 29, 1988; amended in R89-1 at 13 Ill. Reg. 18403, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6232, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14470, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16508, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9462, effective June 17, 1991; amendment withdrawn at 15 Ill. Reg. 14716, October 11, 1991; amended in R91-13 at 16 Ill. Reg. 9619, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5727, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20692, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6799, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12203, effective July 29, 1994; amended in R95-6 at 19 Ill. Reg. 9660, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11100, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 783, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7685, effective April 15, 1998; amended in R97-21/R98-23 at 22 Ill. Reg. 17706, effective

## SUBPART A: GENERAL

## Section 728.101 Purpose, Scope and Applicability

- This Part identifies hazardous wastes that are restricted from land disposal and defines those limited circumstances under which an otherwise prohibited waste may continue to be land disposed.
- Except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721, the requirements of this Part apply to persons that generate or transport hazardous waste and to owners and operators of hazardous waste treatment, storage, and disposal facilities.
- Restricted wastes may continue to be land disposed as follows:
  - Where persons have been granted an extension to the effective date of a prohibition under Subpart C or pursuant to Section 728.105, with respect to those wastes covered by the extension;
  - Where persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106, with respect to those wastes and units covered by the petition;
  - A waste that is hazardous only because it exhibits a characteristic of hazardous waste and that is otherwise prohibited under this Part is not prohibited if the waste:
    - Is disposed into a nonhazardous or hazardous waste injection well, as defined in 35 Ill. Adm. Code 704.106(a); and
    - Does not exhibit any prohibited characteristic of hazardous waste identified in 35 Ill. Adm. Code 721.Subpart C at the point of injection.

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- 4) A waste that is hazardous only because it exhibits a characteristic of hazardous waste and which is otherwise prohibited under this Part is not prohibited if the waste meets any of the following criteria, unless the waste is subject to a specified method of treatment other than DEACT in Section 728.140 or is D003 reactive cyanide:

A) Any of the following is true of either treatment or management of the waste:

- i) The waste is managed in a treatment system which subsequently discharges to waters of the U.S. pursuant to a permit issued under 35 Ill. Adm. Code 309; or
- ii) B) The waste is treated for purposes of the pretreatment requirements of 35 Ill. Adm. Code 307 and 310; or

iii) C) The waste is managed in a zero discharge system engaged in Clean Water Act (CWA)-equivalent treatment, as defined in Section 728.137(a); and

BB) The waste no longer exhibits a prohibited characteristic of hazardous waste at the point of land disposal (i.e., placement in a surface impoundment).

- d) This Part does not affect the availability of a waiver under Section 121(d)(4) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) (42 U.S.C. Sections 9601 et seq.).
- e) The following hazardous wastes are not subject to any provision of this Part:

1) Waste Wastes generated by small quantity generators of less than 100 kg of non-acute hazardous waste or less than 1 kg of acute hazardous waste per month, as defined in 35 Ill. Adm. Code 721.105;

2) Waste Pesticide pesticides that a farmer disposes of pursuant to 35 Ill. Adm. Code 722.170;

3) Waste Wastes identified or listed as hazardous after November 8, 1984, for which USEPA has not promulgated a land disposal prohibition prohibitions or treatment standard standards; or

4) De minimis losses of waste that exhibits a characteristic of hazardous waste to wastewaters are not considered to be prohibited waste and are defined as losses from normal material handling operations (e.g., spills from the unloading or transfer of materials from bins or other containers or leaks from pipes, valves, or other devices used to transfer materials); minor leaks of process equipment, storage tanks, or containers; leaks from well-maintained pump packings and seals; sample purgings; relief device discharges; discharges from safety showers and rinsing and cleaning of personal safety equipment; rinsate from empty containers or from containers that are rendered empty by that rinsing; and laboratory waste that does not exceed one percent of the total flow of wastewater into the facility's headworks on an annual basis, or with a combined annualized average concentration not exceeding one part per million (ppm) in the headworks of the

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facility's wastewater treatment or pretreatment facility, follows:

A) Hoses--from-normal-material--handling-operations--(e.g.-7 spills--from-the-unloading-or-transfer-of-materials--from-bins or--other--containers--or-leaks--from-pipes--valves--or-other devices--used-to-transfer-materials); minor-leaks-of--process equipment;--storage--tanks--or--containers--leaks--from well-maintained-pump-packings-and--seals;--sample--purgings--relief-device-discharges--discharges--from-safety-showers-and-rinsing--and--cleaning-of-personal-safety-equipment;--rinsate from-empty-containers--or--from-containers--that--are--rendered empty--by--that--rinsing--and-laboratory-waste--that--does-not exceed-one-percent-of-the-total-flow-of-wastewater-into-the facility's-headworks-on-an-annual-basis--or--with-a--combined annualized--average-concentration-not-exceeding-one-part-per million--(ppm)--in-the-headworks-of-the-facility's--wastewater treatment--or--pretreatment-facility;--or

B) Becharacterized---waste---that---is---injected---into---Class---I nonhazardous-wells---in---which---the---decharacterized---waste's combined-volume-is-less-than-one-percent-of-the-total-flow at-the-wellhead-on-an-annualized-basis--and--no--greater--than 10-000--gallons--per--day--end--in--which--any--underlying hazardous-constituents--in--the--characteristic--waste--are present-at-the-point-of-generation-at-levels--less--than--10 times-the-treatment-standards-found-at-Section-720.140--

- 5) Land disposal prohibitions for hazardous characteristic wastes do not apply to laboratory wastes displaying the characteristic of ignitability (D001), corrosivity (D002), or organic toxicity (D012 through D043) that are mixed with other plant wastewaters at facilities whose ultimate discharge is subject to regulation under the CWA (including wastewaters at facilities that have eliminated the discharge of wastewater), provided that the annualized flow of laboratory wastewater into the facility's headworks headwork does not exceed one percent or that the laboratory wastes' combined annualized average concentration does not exceed one part per million in the facility's headworks.

f) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) is exempt from Sections 728.107 and 728.150 for the hazardous wastes listed below. Such a handler or transporter is subject to regulation under 35 Ill. Adm. Code 733.

- 1) Batteries, as described in 35 Ill. Adm. Code 733.102;
- 2) Pesticides, as described in 35 Ill. Adm. Code 733.103;
- 3) Thermostats, as described in 35 Ill. Adm. Code 733.104; and
- 4) Mercury-containing lamps, as described in 35 Ill. Adm. Code 733.107.

BOARD NOTE: Subsection (f)(4) of this Section was added pursuant to Section 22.23a of the Act [415 ILCS 5/22.23a] (see P.A. 90-502, effective August 19, 1997).

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- g) This Part is cumulative with the land disposal restrictions of 35 Ill. Adm. Code 729. The Environmental Protection Agency (Agency) shall not issue a wastewater authorization pursuant to 35 Ill. Adm. Code 709 or Section Sections 22.6 or 39(h) of the Environmental Protection Act [415 ILCS 5/22.6 or 39(h)] unless the waste meets the requirements of this Part as well as 35 Ill. Adm. Code 729.

(Source: Amended at 22 Ill. Reg. 17706, effective SEP 28 1998)

## Section 728.104 Treatment Surface Impoundment Exemption

- a) Wastes which are otherwise prohibited from land disposal under this Part may be treated in a surface impoundment or series of impoundments provided that all of the following conditions are fulfilled:

- 1) Treatment of such wastes occurs in the impoundments;
- 2) The following conditions are met:
  - A) Sampling and testing. For wastes with treatment standards in Subpart D or prohibition levels in Subpart C, the residues from treatment are analyzed, as specified in Section 728.107 or 728.132, to determine if they meet the applicable treatment standards or, where no treatment standards have been established for the waste, the applicable prohibition levels. The sampling method, specified in the waste analysis plan under 35 Ill. Adm. Code 724.113 or 725.113, must be designed such that representative samples of the sludge and the supernatant are tested separately rather than mixed to form homogeneous samples.
  - B) Removal. The following treatment residues (including any liquid waste) must be removed at least annually: residues which do not meet the treatment standards promulgated under Subpart D; residues which do not meet the prohibition levels established under Subpart C or Section 728.139 (where no treatment standards have been established); residues which are from the treatment of wastes prohibited from land disposal under Subpart C (where no treatment standards have been established and no prohibition levels apply); or residues from managing listed wastes which are not delisted under 35 Ill. Adm. Code 720.122. However, residues which are the subject of a valid certification under Section 728.108 made no later than a year after placement of the wastes in an impoundment are not required to be removed annually. If the volume of liquid flowing through the impoundment or series of impoundments annually is greater than the volume of the impoundment or impoundments, this flow-through constitutes removal of the supernatant for the purpose of this requirement.

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- C) Subsequent management. Treatment residues must not be placed in any other surface impoundment for subsequent management unless the residues are the subject of a valid certification under Section 728.108 which allows disposal in surface impoundments meeting the requirements of Section 728.108(a).

- D) Recordkeeping. Sampling, testing, and recordkeeping provisions of the procedures and schedule for the sampling of impoundment contents, the analysis of test data and the annual removal of residues which do not meet the treatment standards, or prohibition levels, where no treatment standards have been established, or which are from the treatment of wastes prohibited from land disposal under Subpart C, where no treatment standards have been established, and no prohibition levels apply, must be specified in the facility's waste analysis plan as required under 35 Ill. Adm. Code 724.113 or 725.113 apply.

- 3) The impoundment meets the design requirements of 35 Ill. Adm. Code 724.321(c) or 725.321(a) even though the unit may not be new, expanded or a replacement, and must be in compliance with applicable groundwater monitoring requirements of 35 Ill. Adm. Code 724.Subpart F or 725.Subpart F, unless any of the following conditions is fulfilled:

- A) The impoundment is exempted pursuant to 35 Ill. Adm. Code 724.321(d) or (e), or to 35 Ill. Adm. Code 725.321(c) or (d);

- B) Upon application by the owner or operator, the Agency has by permit provided that the requirements of this Part do not apply on the basis that the surface impoundment fulfills all of the following conditions:

- i) The impoundment has at least one liner, for which there is no evidence that such liner is leaking;
- ii) Is located more than one-quarter mile from an underground source of drinking water; and
- iii) Is in compliance with generally applicable groundwater monitoring requirements for facilities with permits; or

- C) Upon application by the owner or operator, the Board has, pursuant to 35 Ill. Adm. Code 106, granted an adjusted standard from the requirements of this Part. The justification for such an adjusted standard shall be a demonstration that the surface impoundment is located, designed and operated so as to assure that there will be no migration of any hazardous constituent into groundwater or surface water at any future time; and

- 4) The owner or operator submits to the Agency a written certification that the requirements of subsection Section 728.104(a)(3) of this Section have been met and submits a copy of



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the-waste-analysis-plan--required--under--Section--720-104(a)(2).  
The following certification is required:

I certify under penalty of law that the requirements of 35 Ill. Adm. Code 728.104(a)(3) have been met for all surface impoundments being used to treat restricted wastes. I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

b) Evaporation of hazardous constituents as the principal means of treatment is not considered to be a treatment for purposes of an exemption under this Section.

(Source: Amended at 22 Ill. Reg. **17706**, effective **SEP 28 1998**)

# **Section 728.107 Testing, Tracking, Waste--Analysis and Recordkeeping Requirements for Generators, Treaters, and Disposal Facilities**

a) Requirements for generators:

1) A generator of a hazardous waste shall determine if the waste has to be treated before it can be land disposed. This is done by determining if the hazardous waste meets the treatment standards in Section 728.140 or Section 728.145. This determination can be made in either of two ways: testing the waste or using knowledge of the waste. Testing determines the total concentration of hazardous constituents, or the concentration of hazardous constituents in an extract of the waste obtained using SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure) incorporated by reference in 35 Ill. Adm. Code 720.111, depending on whether the treatment standard for the waste is expressed as a total concentration or concentration of hazardous constituent in the waste's extract. In addition, some hazardous wastes must be treated by particular treatment methods before they can be land disposed. These treatment standards are also found in Sections 728.140 and 728.145, and are described in detail in Section 728.140. These wastes do not need to be tested (however, if they are in a waste mixture, other wastes with concentration level treatment standards shall be tested). If a generator determines that it is managing a waste that displays a hazardous characteristic of ignitability, corrosivity, reactivity, or toxicity, the generator shall comply with the special requirements of Section 728.109 in addition to any applicable requirements in this Section.

2) If the waste does not meet the treatment standard: With the initial shipment of waste to each treatment or storage facility,

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the generator shall send a one-time written notice to each treatment or storage facility receiving the waste, and place a copy in the file. The notice must include the information in column "728.107(a)(2)" of the Generator Paperwork Requirements Table in Section 728.107. No further notification is necessary until such time that the waste or facility changes, in which case a new notification must be sent and a copy placed in the generator's file.

3) If the waste meets the treatment standard at the original point of generation:

A) With the initial shipment of waste to each treatment, storage, or disposal facility, the generator shall send a one-time written notice to each treatment, storage, or disposal facility receiving the waste, and place a copy in its own file. The notice must include the information indicated in column "728.107(a)(3)" of the Generator Paperwork Requirements Table in Section 728.107. I and the following certification statement, signed by an authorized representative:

I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35 Ill. Adm. Code 728.107. Subpart D. I believe that the information I submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment.

B) If the waste changes, the generator shall send a new notice and certification to the receiving facility, and place a copy in its file. Generators of hazardous debris excluded from the definition of hazardous waste under 35 Ill. Adm. Code 721.103(f) are not subject to these requirements.

4) For reporting, tracking and recordkeeping when exceptions allow certain wastes that do not meet the treatment standards to be land disposed: There are certain exemptions from the requirement that hazardous wastes meet treatment standards before they can be land disposed. These include, but are not limited to, case-by-case extensions under Section 728.105, disposal in a no-migration unit under Section 728.106, or a national capacity variance or case-by-case capacity variance under 728.107. Subpart C of this Part. If a generator's waste is so exempt, then with the initial shipment of waste, the generator shall send a one-time written notice to each land disposal facility receiving the waste. The notice must include the information indicated in column "728.107(a)(4)" of the Generator Paperwork Requirements

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Table in Section 728.134 Table I. If the waste changes, the generator shall send a new notice to the receiving facility, and place a copy in its file.

- 5) If a generator is managing and treating prohibited waste in tanks, containers, or containment buildings regulated under 35 Ill. Adm. Code 722.134 to meet applicable LDR treatment standards found at Section 728.140, the generator shall develop and follow a written waste analysis plan that describes the procedures it will carry out to comply with the treatment standards. (Generators treating hazardous debris under the alternative treatment standards of Section 728.140 Table F, however, are not subject to these waste analysis requirements.) The plan must be kept on site in the generator's records, and the following requirements must be met:

A) The waste analysis plan must be based on a detailed chemical and physical analysis of a representative sample of the prohibited wastes being treated, and contain all information necessary to treat the wastes in accordance with the requirements of this Part, including the selected testing frequency;

B) Such plan must be kept in the facility's on-site files and made available to inspectors; and

C) Wastes shipped off-site pursuant to this subsection (a)(5) of this Section must comply with the notification requirements of subsection (a)(3) of this Section.

- 6) If a generator determines that the waste is restricted based solely on its knowledge of the waste, all supporting data used to make this determination must be retained on-site in the generator's files. If a generator determines that the waste is restricted based on testing this waste or an extract developed using the SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure), incorporated by reference in 35 Ill. Adm. Code 720.111, and all waste analysis data must be retained on-site in the generator's files.

- 7) If a generator determines that it is managing a restricted waste which is excluded from the definition of hazardous or solid waste or which is exempt from Subtitle C regulation under 35 Ill. Adm. Code 721.102 through 721.106 subsequent to the point of generation (including deactivated characteristic hazardous wastes that are managed in wastewater treatment systems subject to the CWA as specified at 35 Ill. Adm. Code 721.104(a)(2), or which are CWA-equivalent), the generator shall place a one-time notice stating such generation, subsequent exclusion from the definition of hazardous or solid waste or exemption from RCRA Subtitle C regulation, and the disposition of the waste in the generating facility's file.

- 8) A generator shall retain a copy of all notices, certifications, waste analysis data, and other documentation produced pursuant to

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this Section on-site for at least three years from the date that the waste that is the subject of such documentation was last sent to on-site or off-site treatment, storage, or disposal. The three year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Agency. The requirements of this subsection (a)(8) apply to solid wastes even when the hazardous characteristic is removed prior to disposal, or when the waste is excluded from the definition of hazardous or solid waste under 35 Ill. Adm. Code 721.102 through 721.106, or exempted from RCRA Subtitle C regulation, subsequent to the point of generation.

9) If a generator is managing a lab pack containing hazardous wastes and wishes to use the alternative treatment standard for lab packs found at Section 728.142(c), the generator shall fulfill the following conditions:

- A) With the initial shipment of waste to a treatment facility, the generator shall submit a notice that provides the information in column "Section 728.107(a)(9)" in the Generator Paperwork Requirements Table of Section 728.142 Table I and the following certification. The certification, which must be signed by an authorized representative and must be placed in the generator's files, must say the following:

I certify under penalty of law that I personally have examined and am familiar with the waste and that the lab pack contains only wastes that have not been excluded under 35 Ill. Adm. Code 728.142(c) and that this lab pack will be sent to a combustion facility in compliance with the alternative treatment standards for lab packs at 35 Ill. Adm. Code 728.142(c). I am aware that there are significant penalties for submitting a false certification, including the possibility of fine or imprisonment.

- B) No further notification is necessary until such time as the wastes in the lab pack change, or the receiving facility changes, in which case a new notice and certification must be sent and a copy placed in the generator's file.

C) If the lab pack contains characteristic hazardous wastes (D001-D043), underlying hazardous constituents (as defined in Section 728.102(i)) need not be determined.

D) The generator shall also comply with the requirements in subsections (a)(6) and (a)(7) of this Section.

- 10) Small quantity generators with tolling agreements pursuant to 35 Ill. Adm. Code 722.120(e) shall comply with the applicable notification and certification requirements of subsection (a) of this Section for the initial shipment of the waste subject to the agreement. Such generators shall retain on-site a copy of the



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notification and certification, together with the tolling agreement, for at least three years after termination or expiration of the agreement. The three-year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Agency.

- a) Except as specified in Section 720-132, where a generator's waste is listed in 35-III-Adm-Code 721-Subpart B or if the waste exhibits one or more of the characteristics set out at 35-III-Adm-Code 721-Subpart C, the generator shall test its waste or test an extract using the Toxicity Characteristic Leaching Procedure Method 1311 in test Methods for Evaluating Solid Waste, Physical/Chemical Methods, USEPA Publication SW-846, as incorporated by reference in 35-III-Adm-Code 720-111 or use knowledge of the waste to determine if the waste is restricted from land disposal under this Part. If the generator determines that its waste displays the characteristic of ignitability (B001) and is not in the High VOC Ignitable Liquids Subcategory or is not treated by CMBSW or RORGS of Section 720-Table C, or the waste displays the characteristic of corrosivity (B002), reactivity (B003) or organic toxicity (B012) through B043, and the waste is prohibited under Sections 720-137, Section 720-130, and 720-139, the generator shall determine what underlying hazardous constituents (as defined in Section 720-102) are reasonably expected to be present in the B001, B002, B003, or B012 through B043 waste.

i) If a generator determines that it is managing a restricted waste under this Part and the waste does not meet the applicable treatment standards set forth in Subpart B of this Part or exceeds the applicable prohibition levels set forth in Section 720-132 or 720-139, the generator shall send a one-time written notice to each treatment or storage facility with the initial shipment of waste. No further notification is necessary until such time that the waste or facility changes in which case a new notification must be sent and a copy placed in the generator's file. The notice must include the following information:

- A) USEPA hazardous waste number;  
 B) The waste constituents that the treater will monitor if monitoring will not include all regulated constituents, for wastes P001 through P005, P039, B001, B002, B003, and B012 through B043. The generator must also include whether the waste is a nonwastewater or wastewater (as defined in Section 720-102 (d) and (f)) and indicate the subcategory of the waste (such as "B003-reactive-eyanide") if applicable;  
 C) The manifest number associated with the shipment of waste;  
 D) For hazardous debris, the contaminants subject to treatment as provided by Section 720-145(b), and the following statement: "This hazardous debris is subject to the alternative treatment standards of 35-III-Adm-Code 720-145", and

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- B) Waste analysis data, where available;  
 If a generator determines that it is managing a restricted waste under this Part and determines that the waste can be land disposed without further treatment with the initial shipment of waste, the generator shall submit a one-time written notice and a certification to each treatment, storage, or land disposal facility stating that the waste meets the applicable treatment standards set forth in Subpart B of this Part and setting forth the applicable prohibition levels set forth in Section 720-132 or RCRA Section 3004(d), referenced in Section 720-139. A generator of hazardous debris that is excluded from the definition of hazardous waste under 35-III-Adm-Code 721-103(e)(2) 35-III-Adm-Code 720-103(f)(2) or 35-III-Adm-Code 720-103(g)(2) however, is not subject to these notification and certification requirements. If the waste changes, the generator shall send a new notice and certification to the receiving facility and place a copy in its files.  
 A) The notice must include the following information:

- i) USEPA hazardous waste number;  
 ii) The waste constituents that the treater will monitor if monitoring will not include all regulated constituents, for wastes P001 through P005, P039, B001, B002, B003, and B012 through B043. The generator must also include whether the waste is a wastewater or nonwastewater (as defined in Section 720-102 (d) and (f)) and indicate the subcategory of the waste (such as "B003-reactive-eyanide") if applicable;  
 iii) The manifest number associated with the shipment of waste, and  
 iv) Waste analysis data, where available;  
 B) The certification must be signed by an authorized representative and must state the following:  
 I certify under penalty of law that I personally have examined and am familiar with the waste through analysis and testing or through knowledge of the waste to support this certification that the waste complies with the treatment standards specified in 35-III-Adm-Code Subpart B of this Part and all applicable prohibitions set forth in 35-III-Adm-Code 720-132, 720-139, or Section 3004(d) of the Resource Conservation and Recovery Act. I believe that the information I submitted is true, accurate, and complete. I am aware that there are significant penalties for submitting a false certification, including the possibility of a fine and imprisonment. If a generator's waste is subject to an exemption from a prohibition on the type of land disposal method utilized for the



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- waste (such as) but not limited to: a case-by-case extension under Section 720-105, an exemption under Section 720-106, an extension under Section 720-101(f)(3), or a nationwide capacity variance under 40 CFR 260-Subpart G (1996); the generator shall submit a one-time written notice with the initial shipment of the waste to each facility receiving the generator's waste stating that the waste is not prohibited from land disposal; if the waste changes, the generator shall send a new notice and certification to the receiving facility and place a copy in its files. The notice must include the following information:
- A) USEPA hazardous waste number
  - B) The waste constituents that the treater will monitor; if monitoring will not include all regulated constituents for wastes P001 through P005, P007, P008, P009, P010, P011, and P012 through P043. The generator must also include whether the waste is a nonwastewater or wastewater (as defined in Section 720-102(d)) and (f) and indicate the subcategory of the waste (such as "P003 reactive cyanide") if applicable; the manifest number associated with the shipment of waste; the manifest number where available.
  - C) Waste analysis data when using the alternative treatment technologies provided by Section 720-145.
  - D) The contaminants subject to treatment as provided by Section 720-145(b).
  - E) An indication that these contaminants are being treated to comply with Section 720-145.
  - F) For hazardous debris when using the treatment standards for the contaminants waste (a) in Section 720-140, the requirements described in subsections (a)(3)(i) through (a)(3)(B) and (a)(3)(G) of this Section; and
  - G) The date on which the waste is subject to the prohibitions if a generator is managing a prohibited waste in tanks, containers, or containment buildings regulated under 35-III-Adm Code 722-134 and is treating such waste in tanks, containers, or containment buildings to meet applicable treatment standards under Subpart B of this Part; the generator shall develop and follow a written waste analysis plan that describes the procedures the generator will carry out to comply with the treatment standards. (A generator treating hazardous debris under the alternative treatment standards of Section 720-Table P, however, is not subject to these waste analysis requirements.) The plan must be kept on site in the generator's records and the following requirements must be met:
  - A) The waste analysis plan must be based on a detailed chemical and physical analysis of a representative sample of the prohibited wastes being treated and it must contain all information necessary to treat the wastes in accordance with the requirements of this Part, including the selected

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- testing frequency:
- B) Such plan must be filed with the Agency a minimum of 30 days prior to the treatment activity with delivery verified.
  - C) Wastes shipped off-site pursuant to this subsection must comply with the notification requirements of Section 720-107(a)(2).
  - D) If a generator determines whether the waste is restricted-based solely on the generator's knowledge of the waste, the generator shall retain all supporting data used to make this determination on site in the generator's files. If a generator determines whether the waste is restricted-based on testing the waste or an extract developed using the test method described in Appendix A, the generator shall retain all waste analysis data on site in its files.
  - E) If a generator determines subsequent to the time of generation that it is managing a restricted waste that is excluded from the definition of hazardous or solid waste or exempt from regulation as a RCRA hazardous waste under 35-III-Adm Code 721-102 through 721-106, the generator shall place in the facility's files a one-time notice stating such generation, the subsequent exclusion from the definition of hazardous or solid waste or exemption from regulation as a RCRA hazardous waste, and the disposition of the waste.
  - F) A generator shall retain on site a copy of all notices, certifications, demonstrations, waste analysis data, and other documentation produced pursuant to this Section for at least five years from the date that the waste that is the subject of such documentation was last sent to on site or off-site treatment, storage, or disposal. The five-year record retention period is automatically extended during the course of any unresolved enforcement action regarding the regulated activity or as requested by the Agency. The requirements of this subsection apply to solid wastes even when the hazardous characteristic is removed prior to disposal when the waste is excluded from the definition of hazardous or solid waste under 35-III-Adm Code 721-102 through 721-106 or when the waste is exempted from regulation as a RCRA hazardous waste subsequent to the point of generation.
  - G) If a generator is managing a lab pack that contains wastes identified in Section 720-Appendix B and wishes to use the alternative treatment standard under Section 720-142(c), with each shipment of waste the generator shall submit a notice to the treatment facility in accordance with subsection (a)(i) of this Section except that underlying hazardous constituents need not be determined. The generator shall also comply with the requirements in subsections (a)(5) and (a)(6) of this Section and shall submit the following certification which must be signed by an authorized representative:

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1) i-certify under penalty of law that I personally have examined and am familiar with the waste that the lab pack does not contain any of the wastes identified in 35 Ill. Adm. Code 720-Appendix-B. I am aware that there are significant penalties for submitting a false certification including the possibility of fine or imprisonment.

9) This subsection corresponds with 40 CFR 260.7(a)(9) marked "reserved" by US EPA at 59 Fed. Reg. 40045 (Sept. 19, 1994). This statement maintains structural consistency with federal regulations.

10) Small quantity generators with tolling agreements pursuant to 35 Ill. Adm. Code 720-130(e) shall comply with the applicable notification and certification requirements of subsection (a) of this Section for the initial shipment of the waste subject to the agreement. Such generators shall retain on site a copy of the notification and certification together with the tolling agreement for at least three years after termination or expiration of the agreement. The three year record retention period is automatically extended following notification pursuant to Section 31(d) of the Environmental Protection Act until either any subsequent enforcement action is resolved or until the Agency notifies the generator documents need not be retained.

b) The owner or operator of a treatment facility treatment facilities shall test its waste according to the frequency specified in its waste analysis plan plans, as required by 35 Ill. Adm. Code 724.113 (for permitted TSDs) or 725.113 (for interim status facilities). Such testing must be performed as provided in subsections (b)(1), (b)(2), and (b)(3) of this Section.

1) For wastes with treatment standards expressed as concentrations in the waste extract (TCLP) (Section 720-141), the owner or operator of the treatment facility shall test an extract of the treatment residues or an extract of such residues developed using SW-846 Method the test method 1311 (the Toxicity Characteristic Leaching Procedure), described in incorporated by reference in 35 Ill. Adm. Code 720.111 Section 720-Appendix-A to assure that the treatment residues extract meets the applicable treatment standards.

2) For wastes prohibited under Section 720-132 or 720-139 that are not subject to any treatment standards under Subpart B of this Part, the owner or operator of the treatment facility shall test the treatment residues according to the generator testing requirements specified in Section 720-132 to assure that the treatment residues comply with the applicable prohibitions.

2) For wastes with treatment standards expressed as concentrations in the waste (Section 720-143), the owner or operator of the treatment facility shall test the treatment residues (not an extract of such residues) to assure that the treatment residues meet the applicable treatment standards.

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3) 4) A one-time notice must be sent with the initial waste shipment of waste to the each land disposal facility that includes the following information except that debris excluded from the definition of the hazardous waste under 35 Ill. Adm. Code 720-130(e) (i.e., debris treated by an extraction or destruction technology provided by Section 720-Table P7 and debris that is deleted) is subject to the notification and certification requirements of subsection (d) of this Section rather than these notification requirements. No further notification is necessary until such time that the waste or receiving facility changes, in which case a new notice must be sent and a copy placed in the treatment facility's file. US EPA hazardous waste number.

A) The one-time notice must include the requirements indicated in the following table: The waste constituents that the treater will monitor if monitoring will not include all regulated constituents for wastes P001 through P039, P001, P002, P003, and P012 through P043. The generator must also include whether the waste is a nonwastewater or wastewater as defined in Section 720-102(d) or (f) and indicate the category of the waste (such as "as-is" reactive cyanide) if applicable.

B) The one-time notice must include the requirements indicated in the following table: The waste constituents that the treater will monitor if monitoring will not include all regulated constituents for wastes P001 through P039, P001, P002, P003, and P012 through P043. The generator must also include whether the waste is a nonwastewater or wastewater as defined in Section 720-102(d) or (f) and indicate the category of the waste (such as "as-is" reactive cyanide) if applicable.

## Treatment Facility Paperwork Requirements Table

Required information	Section 728.107(b)
1. USEPA Hazardous Waste and Manifest numbers.	X
2. The waste is subject to the LDRs. The constituents of concern for F001-F005 and F039, and underlying hazardous constituents (for wastes that are not managed in a Clean Water Act (CWA) or CWA-equivalent facility), unless the waste will be treated and monitored for all constituents. If all constituents will be treated and monitored, there is no need to put them all on the LDR notice.	X
3. The notice must include the applicable wastewater/nonwastewater category (see Section 728.102(d) and	X



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(f)) and subdivisions made within a waste code based on waste-specific criteria (such as D003 reactive cyanide).

4. Waste analysis data (when available) X

5. A certification statement is needed X

(see applicable Section for exact wording).

6) The manifest number associated with the shipment of waste and

B) Waste analysis data where available.

4)5) The treatment facility owner or operator of a treatment facility shall submit a certification signed by an authorized representative with the initial each shipment of waste or treatment residue of a restricted waste to the land disposal facility stating that the waste or treatment residue has been treated in compliance with the treatment standards specified in Subpart B of this Part and the applicable prohibitions set forth in Section 728.132 or 728.139. Debris excluded from the definition of hazardous waste under 35 Ill. Adm. Code 728.140 (e) (i.e., debris treated by an extraction or destruction technology provided by Section 728.140 (e) and debris that is destroyed however) is subject to the notification and certification requirements of subsection (d) of this Section rather than the certification requirements of this subsection. The certification must state as follows:

I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification. Based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with the treatment standards specified in 35 Ill. Adm. Code 728.140 without impermissible dilution of the prohibited waste. I am aware there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

A) A copy of the certification must be placed in the treatment facility's on-site files. If the waste or treatment residue changes, or the receiving facility changes, a new certification must be sent to the receiving facility, and a copy placed in the treatment facility's file. For wastes with treatment standards expressed as concentrations in the waste extract or in the waste (Sections 728.141 or 728.143) or for wastes prohibited under Section 728.132 or 728.139

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that are not subject to any treatment standards under Subpart B of this Part, the certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the treatment process has been operated and maintained properly so as to comply with the performance levels specified in 35 Ill. Adm. Code Subpart B of this Part and all applicable prohibitions set forth in 35 Ill. Adm. Code 728.132 or 728.139 or Section 308.4(d) of the Resource Conservation and Recovery Act without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

B) Debris excluded from the definition of hazardous waste under 35 Ill. Adm. Code 721.103(e) (i.e., debris treated by an extraction or destruction technology listed in Section 728.140 (e) and debris that the Agency has determined does not contain hazardous waste) is subject to the notification and certification requirements of subsection (d) of this Section rather than the certification requirements of this subsection (b)(4). For wastes with treatment standards expressed as technologies (Section 728.143) the certification must be signed by an authorized representative and must state the following:

I certify under penalty of law that the waste has been treated in accordance with the requirements of 35 Ill. Adm. Code 728.143. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

C) For wastes with organic constituents having treatment standards expressed as concentration levels concentrations in the waste pursuant to Section 728.143, if compliance with the treatment standards in Subpart B of this Part is based in part or in whole on the analytical detection limit alternative specified in Section 728.140(d) 728.143(e), the certification must be signed by an authorized representative and also must state the following:

I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support



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this certification. Based and that, based on my inquiry of those individuals immediately responsible for obtaining this information, I believe that the nonwastewater organic constituents have been treated by combustion incineration in units as specified operated in accordance with 35 Ill. Adm. Code 728.140. Subpart 0 or 35 Ill. Adm. Code 725.140, or by combustion in fuel substitution units operating in accordance with applicable technical requirements, and I have been unable to detect the nonwastewater organic constituents, despite having used best good faith efforts to analyze for such constituents. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

B) For characteristic wastes B001, B002, B003, and B012 through B043 that are subject to the treatment standards in Section 720.140 (other than those expressed as a required method of treatment), that are reasonably expected to contain underlying hazardous constituents (as defined in Section 720.102(i)) that are treated on site to remove the hazardous characteristic, and that are then sent off-site for treatment of underlying hazardous constituents, the certification must state the following:

I certify under penalty of law that the waste has been treated in accordance with the requirements of 35 Ill. Adm. Code 720.140 to remove the hazardous characteristic. This characterized waste contains underlying hazardous constituents that require further treatment to meet universal treatment standards. I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

E) For characteristic wastes B001, B002, B003, and B012 through B043 that contain underlying hazardous constituents, as defined in Section 720.102(i), and which are treated on site to remove the hazardous characteristic and to treat underlying hazardous constituents to levels set forth in the Sections 720.140 and 720.140 Universal Treatment Standards, the certification must state the following:

I certify under penalty of law that the waste has been treated in accordance with the requirements of 35 Ill. Adm. Code 720.140 to remove the hazardous characteristic, and that underlying hazardous constituents as defined in Section 720.102, have been treated on site to meet the Sections 720.140 and

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720.140 Universal Treatment Standards, I am aware that there are significant penalties for submitting a false certification, including the possibility of fine and imprisonment.

5) If the waste or treatment residue will be further managed at a different treatment or storage facility, the treatment, storage, or disposal facility sending the waste or treatment residue off-site must comply with the notice and certification requirements applicable to generators under this Section.

6) Where the wastes are recyclable materials used in a manner constituting disposal subject to the provisions of 35 Ill. Adm. Code 726.120(b), regarding treatment standards and prohibition levels, the owner or operator of a treatment facility (i.e., the recycler) is not required to notify the receiving facility pursuant to subsection (b)(4) of this Section. With each shipment of such wastes the owner or operator of the recycling facility shall submit a certification described in subsection (b)(5) of this Section and a notice that includes the information listed in subsection (b)(4) of this Section (except the manifest number) to the Agency. The recycling facility also shall keep records of the name and location of each entity receiving the hazardous waste-derived product.

c) Except where the owner or operator is disposing of any waste that is a recyclable material used in a manner constituting disposal pursuant to 35 Ill. Adm. Code 726.120(b), the owner or operator of any land disposal facility disposing any waste subject to restrictions under this part shall:

1) Maintain in its files Have copies of the notice and certifications certification specified in subsection (a) or (b) of this Section and the certification specified in Section 720.100, if applicable.

2) Test the waste, or an extract of the waste or treatment residue developed, using SW-846 Method 1311 (the Toxicity Characteristic Leaching Procedure), incorporated by reference in 35 Ill. Adm. Code 720.111, the test method described in Section 720.100, Appendix A or using any methods required by generators under Section 720.132 to assure that the waste or treatment residue is in compliance with the applicable treatment standards set forth in Subpart D of this part and all applicable prohibitions set forth in Sections 720.132 or 720.139. Such testing must be performed according to the frequency specified in the facility's waste analysis plan as required by 35 Ill. Adm. Code 724.113 or 725.113.

3) Where the owner or operator is disposing of any waste that is subject to the prohibitions under Section 728.133(f) but not subject to the prohibitions set forth in Section 728.132, the owner or operator shall ensure that such waste is the subject of a certification according to the requirements of Section 728.108

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prior to disposal in a landfill or surface impoundment unit, and that such disposal is in accordance with the requirements of Section 728.105(h)(2). The same requirement applies to any waste that is subject to the prohibitions under Section 728.133(f) and also is subject to the statutory prohibitions in the codified prohibitions in Section 728.139 or Section 728.132.

- 4) Where the owner or operator is disposing of any waste that is a recyclable material used in a manner constituting disposal subject to the provisions of 35 Ill. Adm. Code 726.120(b), the owner or operator is not subject to subsections (c)(1) through (c)(3) of this Section with respect to such waste.

- d) A generator or treater that first claims that hazardous debris is excluded from the definition of hazardous waste under 35 Ill. Adm. Code 721.103(e) (i.e., debris treated by an extraction or destruction technology provided by Section 728.102, Table F, and debris that has been delisted) is subject to the following notification and certification requirements:

- 1) A one-time notification must be submitted to the Agency including the following information:

- A) The name and address of the RCRA Subtitle D (municipal solid waste landfill) facility receiving the treated debris;
- B) A description of the hazardous debris as initially generated, including the applicable USEPA hazardous waste numbers; and
- C) For debris excluded under 35 Ill. Adm. Code 721.103(e)(1), the technology from Section 728.102, Table F used to treat the debris.

- 2) The notification must be updated if the debris is shipped to a different facility and, for debris excluded under 35 Ill. Adm. Code 721.102(e)(1) 721-2(d)(4)}, if a different type of debris is treated or if a different technology is used to treat the debris.
- 3) For debris excluded under 35 Ill. Adm. Code 721.103(e)(1), the owner or operator of the treatment facility shall document and certify compliance with the treatment standards of Section 728.102, Table F, as follows:

- A) Records must be kept of all inspections, evaluations, and analyses of treated debris that are made to determine compliance with the treatment standards;
- B) Records must be kept of any data or information the treater obtains during treatment of the debris that identifies key operating parameters of the treatment unit; and
- C) For each shipment of treated debris, a certification of compliance with the treatment standards must be signed by an authorized representative and placed in the facility's files. The certification must state the following:

"I certify under penalty of law that the debris has been treated in accordance with the requirements of 35 Ill. Adm.

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Code 728.145. I am aware that there are significant penalties for making a false certification, including the possibility of fine and imprisonment."

(Source: Amended at 22 Ill. Reg. **17706**, effective **SEP 28 1998**)

## Section 728.109 Special Rules for Characteristic Wastes

- a) The initial generator of a solid waste shall determine each USEPA hazardous waste number (waste code) applicable to the waste in order to determine the applicable treatment standards under Subpart D of this Part. For purposes of this Part, the waste must carry the waste code for any applicable listing under 35 Ill. Adm. Code 721.102, Table D. In addition, the waste must carry one or more of the waste codes under 35 Ill. Adm. Code 721.102, Table C where the waste exhibits a characteristic, except in the case when the treatment standard for the waste-code listed in 35 Ill. Adm. Code 721.102, Table B operates in lieu of the treatment standard for the characteristic waste-code under 35 Ill. Adm. Code 721.102, Table C, as specified in subsection (b) of this Section. If the generator determines that its waste displays a characteristic of hazardous waste (and the waste is not a-B004-through-B011-waste-a-high-TOE D001 nonwastewaters treated by CWBST, RORGS, or POLYM of Section 728.102, Table C, the generator shall determine the underlying hazardous constituents (as defined at Section 728.102(i)) in the characteristic waste waste-and-is-not-treated-by-CWBSF-or-RORGS,--as-described-in--Section--728.102(i)--the-generator-shall determine--what--underlying--hazardous--constituents--(as--defined--in Section--728.102(i))--are--reasonably--expected--to--be--present--above--the universal--treatment--standards--set--forth--in--Sections--728.102--and 728.102(i)).

- b) Where a prohibited waste is both listed under 35 Ill. Adm. Code 721.102, Table D and exhibits a characteristic under 35 Ill. Adm. Code 721.102, Table C, the treatment standard for the waste code listed in 35 Ill. Adm. Code 721.102, Table D will operate in lieu of the standard for the waste code under 35 Ill. Adm. Code 721.102, Table C, provided that the treatment standard for the listed waste includes a treatment standard for the constituent that causes the waste to exhibit the characteristic. Otherwise, the waste must meet the treatment standards for all applicable listed and characteristic waste codes.

- c) In addition to any applicable standards determined from the initial point of generation, no prohibited waste that exhibits a characteristic under 35 Ill. Adm. Code 721.102, Table C shall be land disposed unless the waste complies with the treatment standards under Subpart D of this Part.

- d) A waste that exhibits a characteristic is also subject to Section 728.107 requirements, except that once the waste is no longer hazardous, a one-time notification and certification must be placed in



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the generator's or treater's files and sent to the Agency, except for those facilities described in subsection (f) of this Section below. The notification and certification that is placed in the generator's or treater's files must be updated if the process or operation generating the waste changes or if the RCRA Subtitle D (municipal solid waste landfill) facility receiving the waste changes. However, the generator or treater need only notify the Agency on an annual basis if such changes occur. Such notification and certification should be sent to the Agency by the end of the year, but no later than December 31.

1) The notification must include the following information:

A) The ~~For-a-characteristic-waste-other-than-one-managed-on-site-in-a-wastewater-treatment-system-subject-to-the-federal Clean-Water-Act-(CWA),-a-zero-discharger-engaged-in CWA-equivalent-treatment,-or-a-Class-I-nonhazardous-waste injection-well,-the name and address of the RCRA Subtitle D (municipal solid waste landfill) facility receiving the waste shipment; and~~

B) ~~A For-a-waste-that-exhibits-a-characteristic-of-hazardous waste-a description of the waste as initially generated, including the applicable USEPA hazardous waste numbers, the treatability group(s), and the underlying hazardous constituents (as defined in Section 728.102(i)), unless the waste will be treated and monitored for all underlying hazardous constituents. If all underlying hazardous constituents will be treated and monitored, there is no requirement to list any of the underlying hazardous constituents on the notice.~~

2) The certification must be signed by an authorized representative and must state the language found in Section 728.107(b)(4 5)(A). ~~if-treatment-removes-the-characteristic-but-does-not-treat underlying-hazardous-constituents,-then-the-certification-found in-Section-728.107(b)(5)(A)-applies-~~

3) For a characteristic waste whose ultimate disposal will be into a Class I nonhazardous waste injection well, and for which compliance with the treatment standards set forth in Sections 728.148 and 728.149 for underlying hazardous constituents is achieved through pollution prevention that meets the criteria set forth at 35 Ill. Adm. Code 738.101(d), the following information must also be included:

- A description of the pollution prevention mechanism and when it was implemented if already complete;
- The mass of each underlying hazardous constituent before pollution prevention;
- The mass of each underlying hazardous constituent that must be removed, adjusted to reflect variations in mass due to normal operating conditions; and
- The mass reduction of each underlying hazardous constituent

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that is achieved.

e) For a decharacterized waste managed on-site in a wastewater treatment system subject to the federal Clean Water Act (CWA) or zero-dischargers engaged in CWA-equivalent treatment, compliance with the treatment standards set forth in Sections 728.148 and 728.149 must be monitored quarterly, unless the treatment is aggressive biological treatment, in which case compliance must be monitored annually. Monitoring results must be kept in on-site files for 5 years.

f) For a decharacterized waste managed on-site in a wastewater treatment system subject to the federal Clean Water Act (CWA) for which all underlying hazardous constituents (as defined in Section 728.102) are addressed by a CWA permit, this compliance must be documented and this documentation must be kept in on-site files.

g) For a characteristic waste whose ultimate disposal will be into a Class I nonhazardous waste injection well that qualified for the de minimis exclusion described in Section 728.101, information supporting that qualification must be kept in on-site files.

(Source: Amended <sup>22</sup> Ill. Reg. 17706, effective SEP 28 1998)

## SUBPART C: PROHIBITION ON LAND DISPOSAL

Section 728.130 Waste Specific Prohibitions -- Wood Preserving Solvent Wastes

a) The following wastes are prohibited from land disposal: the wastes specified in 35 Ill. Adm. Code 721 as USEPA hazardous waste numbers F032, F034, and F035.

b) Effective May 12, 1999, the following wastes are prohibited from land disposal: soil and debris contaminated with the wastes specified in 35 Ill. Adm. Code 721 as F032, F034, F035; and radioactive wastes mixed with USEPA hazardous waste numbers F032, F034, and F035.

c) Until May 12, 1999, soil and debris contaminated with the wastes specified in 35 Ill. Adm. Code 721 as USEPA hazardous waste numbers F032, F034, F035; and radioactive waste mixed with USEPA hazardous waste numbers F032, F034, and F035 may be disposed of in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in Section 728.105(h)(2).

d) The requirements of subsections (a) and (b) of this Section do not apply if:

- The wastes meet the applicable treatment standards specified in Subpart D of this Part;
- Persons have been granted an exemption from a prohibition pursuant to a petition under Section 728.106 with respect to those wastes and units covered by the petition;
- The wastes meet the applicable alternate treatment standards established pursuant to a petition granted under Section 728.144;



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- 3) Persons have been granted an extension to the effective date of a prohibition pursuant to 40 CFR 268.5 (see Section 728.105), with respect to those wastes covered by the extension.

e) To determine whether a hazardous waste identified in this Section exceeds the applicable treatment standards specified in Sections 728.140 and 728.148, the initial generator shall test a sample of the waste extract or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste.

If the waste contains constituents in excess of the applicable universal treatment standard levels of Sections 728.148 and 728.149, the waste is prohibited from land disposal and all requirements of Part 728 are applicable, except as otherwise specified.

a) The spent solvent wastes specified in 35 Ill. Adm. Code 721.131 as E-S-BPA Hazardous Waste Numbers P001, P003, P004, and P005 are prohibited under this part from land disposal (except in an injection well) unless one or more of the following conditions apply:

- 1) The generator of the solvent waste is a small quantity generator of 100 to 1000 kilograms of hazardous waste per month;
- 2) The solvent waste is generated from any response action taken under CERCLA or from RERA corrective action except where the waste is contaminated soil or debris;

3) The initial generator's solvent waste is a solvent water mixture solvent containing a sludge or solid or solvent contaminated soil (non-CERCLA or non-RERA corrective action) containing less than 1 percent total P001 through P005 solvent constituents listed in Table G, or

4) The solvent waste is a residue from treating a waste described in subsection (a)(1) or (a)(2) or (a)(3) above or the solvent waste is a residue from treating a waste not described in subsection (a)(1) or (a)(2) or (a)(3) provided such residue belongs to a different treatability group than the waste as initially generated and wastes belonging to such treatability group are described in subsection (a)(3);

b) The P001 through P005 solvent wastes listed in subsections (a)(1) or (a)(2) or (a)(3) or (a)(4) above are prohibited from land disposal;

e) The P001 through P005 solvent wastes that are contaminated soil and debris resulting from a CERCLA response or RERA corrective action or the residue from treatment of these wastes are prohibited from land disposal;

d) The requirements of subsections (a)(1), (b)(1), and (c) above do not apply to:

- 1) The wastes meet the standards of 720-Subpart D, or
- 2) An exemption (adjusted standard) was granted from a prohibition pursuant to a petition under Section 720.106 with respect to those wastes and units, and the activity is covered by the adjusted standard or

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- 3) Persons have been granted an extension to the effective date of a prohibition pursuant to 40 CFR 268.5 (see Section 728.105), with respect to those wastes and units and the activity is covered by the extension.

(Source: **720.6** repealed and new Section added at 22 Ill. Reg. effective **SEP 28 1998**)

Section 728.132 Waste Specific Prohibitions -- California List Wastes (Repealed)

a) The following hazardous wastes are prohibited from land disposal (except in injection wells):

- 1) Liquid hazardous wastes having a pH less than or equal to two (2.0);
- 2) Liquid hazardous wastes containing PCBs at concentrations greater than or equal to 50 ppm;
- 3) Liquid hazardous wastes that are primarily water and contain halogenated organic compounds (HOCs) in total concentration greater than or equal to 1000 mg/l and less than 10,000 mg/l HOCs;

d) The requirements of subsection (a) and (c) do not apply until:

- 1) November 8, 1999, where the wastes are contaminated soil or debris not resulting from a CERCLA response action or from RERA corrective action as defined in Section 720.102; Until July 8, 1999, the wastes may be disposed of in a landfill or surface impoundment only if such disposal is in compliance with the requirements in 40 CFR 260.5(h)(2), incorporated by reference in Section 720.105;

2) November 8, 1999, where the wastes are contaminated soil or debris resulting from a CERCLA response action or RERA corrective action; Until November 8, 1999, the wastes may be disposed in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in 40 CFR 260.5(h)(2), incorporated by reference in Section 720.105;

e) The following hazardous wastes are prohibited from land disposal (subject to any regulation that may be promulgated with respect to disposal in injection wells):

- 1) Liquid hazardous wastes that contain HOCs in total concentration greater than or equal to 1000 mg/l and are not prohibited under subsection (a)(3); and
- 2) Nonliquid hazardous wastes containing HOCs in total concentration greater than or equal to 1000 mg/kg and which are not wastes described in subsection (d);
- f) The wastes described in subsections (e)(1) and (e)(2) may be disposed of in a landfill or surface impoundment only if such unit is in compliance with the requirements specified in 40 CFR 260.5(h)(2), incorporated by reference in Section 720.105;

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- g) The requirements of subsections (a) (d) and (e) do not apply if:
- 1) Persons have been granted an adjusted standard from a prohibition pursuant to a petition under Section 720.106, with respect to those wastes and units covered by the petition (except for liquid hazardous wastes containing PCBs at concentrations greater than or equal to 500 ppm which are not eligible for exemptions); or
  - 2) Persons have been granted an extension to the effective date of a prohibition pursuant to Section 720.105, with respect to those wastes covered by the extension; or
  - 3) The wastes meet the applicable standards specified in Subpart B or, where treatment standards are not specified, the wastes are in compliance with the applicable prohibitions set forth in this Section or Section 720.139.
- h) The prohibitions and effective dates specified in subsections (a) (3) (d) and (e) do not apply where the waste is subject to a Subpart C prohibition and effective date for a specified HOG (such as a hazardous waste chlorinated solvent; see e.g., Section 720.130(a)) or (e) or under Section 720.139, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes" incorporated by reference in 35 Ill. Adm. Code 720.111.
- i) Except as otherwise provided in this subsection, the waste analysis and recordkeeping requirements of Section 720.107 are applicable to wastes prohibited under this Part or Section 720.139.
- 1) The initial generator of a liquid hazardous waste shall test the waste (not an extract or filtrate) in accordance with the procedures specified in 35 Ill. Adm. Code 720.132(a) (1) or use knowledge of the waste to determine if the waste has a pH less than or equal to two (2.0). If the liquid waste has a pH less than or equal to two (2.0), it is restricted from land disposal and all requirements of this Part are applicable, except as otherwise specified in this Section.
  - 2) The initial generator of either a liquid hazardous waste containing PCBs or a liquid or nonliquid hazardous waste containing HOGs shall test the waste (not an extract or filtrate) or use knowledge of the waste to determine whether the concentration levels in the waste equal or exceed the prohibition levels specified in this Section. If the concentration of PCBs or HOGs in the waste is greater than or equal to the prohibition levels specified in this Section, the waste is restricted from land disposal and all requirements of this Part are applicable, except as otherwise specified in this Section.

(Source: Repealed at 22 Ill. Reg. **17706**, effective **SEP 28 1998**)

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- Section 728.133 Waste Specific Prohibitions, First Third Wastes (Repealed)
- a) The wastes specified in 35 Ill. Adm. Code 720.132 as U.S.-EPA hazardous wastes numbers listed below are prohibited from land disposal (except in an injection well):
- P006 (nonwastewater)
  - K001
  - K004 wastes specified in Sections 720.140 and 720.141
  - K000 wastes specified in Sections 720.140 and 720.141
  - K015
  - K016
  - K010
  - K019
  - K020
  - K021 wastes specified in Sections 720.140 and 720.141
  - K022 (nonwastewater)
  - K024
  - K030
  - K036 (nonwastewater)
  - K037
  - K044
  - K045 (nonexplosive)
  - K046 (nonwastewater)
  - K047
  - K060 (nonwastewater)
  - K061 (nonwastewater containing less than 15% zinc)
  - K062 (non-CaSO<sub>4</sub>)
  - K069 (nonwastewater)
  - K003
  - K086 (solvent washes)
  - K087
  - K099
  - K100 nonwastewaters specified in Sections 720.140 and 720.141
  - K101 (wastewater)
  - K101 (nonwastewater, low arsenic subcategory, less than 1% total arsenic)
  - K102 (wastewater)
  - K102 (nonwastewater, low arsenic subcategory, less than 1% total arsenic)
  - K103
  - K104
- b) The wastes specified in 35 Ill. Adm. Code 720.132 as U.S.-EPA Hazardous Waste No. K071 is prohibited from land disposal.
- c) The wastes specified in Section 720.110 having a treatment standard in 720.110 Subpart B based on incineration and which are contaminated soil and debris are prohibited from land disposal.
- e) The requirements of subsection (a) (b) and (c) above do not apply

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- 1f. 1) The waste meets the applicable standards specified in 720-Subpart B.
- 2) An adjusted standard was granted from a prohibition pursuant to a petition under Section 720-106 with respect to those wastes and units and the activity is covered by the adjusted standard, or.
- 3) Persons have been granted an extension to the effective date of a prohibition by U.S. EPA pursuant to Section 720-105 with respect to those wastes and units and the activity is covered by the extension.
- 4) This subsection corresponds with 40 CFR 260.33(f), a provision whose effectiveness has expired. This statement maintains structural consistency with U.S. EPA regulations.
- g) To determine whether a hazardous waste is listed in Section 720-110 exceeds the applicable treatment standards specified in Sections 720-131, 720-140, and 720-146, the initial generator shall test a representative sample or the extract of the waste or the generator may use knowledge of the waste or the generator shall test the entire waste concentrations in the waste extract or the waste. If the waste contains constituents in excess of the applicable 720-Subpart-B levels, the waste is prohibited from land disposal and all requirements of this Part are applicable except as otherwise specified.

(Source: Repealed at 22 Ill. Reg. 17706, effective SEP 28 1998)

## Section 728.134 Waste Specific Prohibitions -- Second Third Wastes (Repealed)

- a) The following wastes are prohibited from land disposal.
- 1) The wastes specified in 35-III--Adm--Code-721-131 as USEPA hazardous waste numbers:

P010  
P024

- 2) The wastes specified in 35-III--Adm--Code--721-132--as--USEPA hazardous waste numbers:

K005  
K007  
K009-(nonwastewaters)  
K010  
K023  
K027  
K020  
K029-(nonwastewaters)  
K036-(wastewaters)

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K030  
K039  
K040  
K043  
K093  
K094  
K095-(nonwastewaters)  
K096-(nonwastewaters)  
K113  
K114  
K115  
K116

- 3) The wastes specified in 35-III--Adm--Code-721-133 as USEPA hazardous waste numbers:

P013  
P021  
P029  
P030  
P039  
P040  
P041  
P043  
P044  
P062  
P063  
P071  
P074  
P085  
P089  
P094  
P097  
P099  
P104  
P106  
P189  
P111  
P121  
U020  
U050  
U069  
U087  
U088  
U102  
U107  
U221



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U223  
U235

b) The following wastes are prohibited from land disposal except when they are injected into a UIC well pursuant to 35 Ill. Adm. Code 730.114(f) or 730.115(d) USEPA hazardous waste numbers:

K009-{wastewaters}  
K011-{nonwastewaters}  
K013-{nonwastewaters}  
K014-{nonwastewaters}

c) The following wastes are prohibited from land disposal: The wastes specified in 35 Ill. Adm. Code 721.131 as USEPA hazardous waste numbers:

P006-{cyanide-{nonwastewater}  
P008  
P009  
P011-{wastewaters}  
P012-{wastewaters}

1) The following waste is prohibited from land disposal except when it is injected into a UIC well pursuant to 35 Ill. Adm. Code 730.114(f): The waste specified in 35 Ill. Adm. Code 721.131 as USEPA hazardous waste number P007.  
2) The following wastes are prohibited from land disposal pursuant to the treatment standards specified in Sections 720.141 or 728.143 applicable to those wastes:

P011-{nonwastewaters}  
P012-{nonwastewaters}

d) Effective June 9, 1991, the following wastes are prohibited from land disposal: The wastes specified in this Section having a treatment standard in Subpart B based on incineration and which are contaminated, contaminated soil and debris:

Until June 9, 1991, wastes included in subsections (c) and (d) may be disposed in a landfill or surface impoundment regardless whether such unit is a new replacement or lateral expansion unit only if such unit is in compliance with the technical requirements specified in 40 CFR 368.5(h)(2) incorporated by reference in Section 728.105.

The requirements of subsections (a), (b), (c) and (d) do not apply if:  
1) The wastes meet the applicable standards specified in Subpart B, or

2) Persons have been granted an exemption from a prohibition pursuant to a petition under Section 720.106 with respect to those wastes and units covered by the petition.

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g) The requirements of subsections (a), (b) and (c) do not apply if persons have been granted an extension to the effective date of a prohibition pursuant to Section 720.105 with respect to those wastes covered by the extension:

h) Until May 9, 1990, the second third wastes specified in 40 CFR 260.111 (1989) for which treatment standards under Subpart B are not applicable, including California list wastes subject to the statutory prohibitions of Section 720.139 or codified prohibitions under Section 720.132 are prohibited from disposal in a landfill or surface impoundment unless the wastes are subject to a valid demonstration and certification pursuant to Section 728.100.

i) To determine whether a hazardous waste exceeds the applicable treatment standards specified in Section 720.141 or 720.143, the initial generator shall test a representative sample of the waste extract, or the entire waste, depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or the generator may use knowledge of the waste. If the waste contains constituents in excess of the applicable Subpart B levels, the waste is prohibited from land disposal and all the requirements of this part are applicable except as otherwise specified.

(Source: Repealed 22 Ill. Reg. 17706, effective SEP 28 1986)

## Section 728.135 Waste Specific Prohibitions -- Third Third Wastes (Repealed)

a) The following wastes are prohibited from land disposal:  
1) The wastes specified in 35 Ill. Adm. Code 721.131 as USEPA hazardous waste numbers:

P002-{1,1,2-trichloroethane}  
P005-{benzene}  
P005-{2-ethoxyethanol}  
P005-{2-nitropropane}  
P006-{wastewaters}  
P019  
P025  
P039-{wastewaters}

2) The wastes specified in 35 Ill. Adm. Code 721.132 as USEPA hazardous waste numbers:

K002  
K003  
K004-{wastewaters}  
K005-{wastewaters}  
K006  
K009-{wastewaters}  
K011-{wastewaters}  
K013-{wastewaters}  
K014-{wastewaters}

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K015-(nonwastewaters)  
K017  
K021-(wastewaters)  
K022-(wastewaters)  
K025-(wastewaters)  
K026  
K029-(wastewaters)  
K031-(wastewaters)  
K032  
K033  
K034  
K035  
K041  
K042  
K046-(wastewaters)-reactive-nonwastewaters)  
K049-(wastewaters)  
K049-(wastewaters)  
K050-(wastewaters)  
K051-(wastewaters)  
K052-(wastewaters)  
K060-(wastewaters)  
K061-(wastewaters)-and-(high-zinc-subcategory->15%-zinc)  
K069-(wastewaters)-calcium-sulfate-nonwastewaters)  
K073  
K003  
K004-(wastewaters)  
K005  
K095-(wastewaters)  
K096-(wastewaters)  
K097  
K098  
K100-(wastewaters)  
K101-(wastewaters)  
K102-(wastewaters)  
K105  
K106-(wastewaters)  
3) The wastes specified in 35-III--Adm--Code-721.133(e) as U.S.--EPA  
hazardous waste numbers:  
P001  
P002  
P003  
P004  
P005  
P006  
P007  
P008  
P009  
P010-(wastewaters)

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P011-(wastewaters)  
P012-(wastewaters)  
P014  
P015  
P016  
P017  
P018  
P020  
P022  
P023  
P024  
P026  
P027  
P028  
P031  
P033  
P034  
P036-(wastewaters)  
P037  
P038-(wastewaters)  
P042  
P045  
P046  
P047  
P048  
P049  
P050  
P051  
P054  
P056  
P057  
P058  
P059  
P060  
P064  
P065-(wastewaters)  
P066  
P067  
P068  
P069  
P070  
P072  
P073  
P075  
P076  
P077  
P078

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P001  
P002  
P004  
P000  
P092--(wastewaters)  
P093  
P095  
P096  
P101  
P102  
P103  
P105  
P100  
P110  
P112  
P113  
P114  
P115  
P116  
P110  
P119  
P120  
P122  
P123

4) The wastes specified in 35-III-Adm-Code-721.133(f) as B-S-BPA hazardous waste numbers:

U001  
U002  
U003  
U004  
U005  
U006  
U007  
U000  
U009  
U010  
U011  
U012  
U014  
U015  
U016  
U017  
U010  
U019  
U020  
U021  
U022  
U023

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## NOTICE OF ADOPTED AMENDMENTS

U024  
U025  
U026  
U027  
U029  
U030  
U031  
U032  
U033  
U034  
U035  
U036  
U037  
U030  
U039  
U041  
U042  
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U077



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## NOTICE OF ADOPTED AMENDMENTS

B070  
B079  
B080  
B081  
B082  
B083  
B084  
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B086  
B089  
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B129  
B130  
B131

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

B132  
B133  
B134  
B135  
B136-(wastewaters)  
B137  
B138  
B140  
B141  
B142  
B143  
B144  
B145  
B146  
B147  
B148  
B149  
B150  
B151-(wastewaters)  
B152  
B153  
B154  
B155  
B156  
B157  
B158  
B159  
B160  
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B162  
B163  
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## NOTICE OF ADOPTED AMENDMENTS

U102  
U103  
U104  
U105  
U106  
U107  
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U112  
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U138  
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U140  
U141  
U142  
U143  
U144  
U145

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U247  
U248  
U249

- 5) The following wastes identified as hazardous based on a characteristic alone:

B001  
B002  
B003  
B004 (wastewaters)  
B005  
B006  
B007  
B008 (except for lead materials stored before secondary smelting)  
B009 (wastewaters)  
B010  
B011  
B012  
B013  
B014  
B015  
B016  
B017

- b) The following wastes are prohibited from land disposal: The wastes specified in 35-III-Adm.-Code-721.132-as-B.S.-BPA hazardous waste numbers:

K040 (nonwastewaters)  
K049 (nonwastewaters)  
K050 (nonwastewaters)  
K051 (nonwastewaters)  
K052 (nonwastewaters)

- e) The following wastes are prohibited from land disposal:

- 1) The wastes specified in 35-III-Adm.-Code-721.131-as-B.S.-BPA hazardous waste numbers:

P039 (nonwastewaters)  
P039 (nonwastewaters)  
P039 (nonwastewaters)

- 2) The wastes specified in 35-III-Adm.-Code-721.132-as-B.S.-BPA hazardous waste numbers:

K031 (nonwastewaters)  
K004 (nonwastewaters)  
K101 (nonwastewaters)  
K102 (nonwastewaters)  
K106 (nonwastewaters)

- 3) The wastes specified in 35-III-Adm.-Code-721.133(e)-as-B.S.-BPA hazardous waste numbers:

P010 (nonwastewaters)  
P011 (nonwastewaters)  
P012 (nonwastewaters)  
P036 (nonwastewaters)

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7007  
P065-(nonwastewater)  
P030-(nonwastewater)

[illegible]

U136-(non)waterst  
U151-(non)waterst

15) ~~the following states are~~ ~~not~~ ~~included~~ ~~in~~ ~~the~~ ~~survey~~ ~~as~~ ~~ordered~~ ~~on~~ ~~the~~

B004-(nonwastewaters)-  
B009-(nonwastewaters)-

57 RCRA---hazardous---wastes---that---contain---naturally---occurring  
radioactive materials-

Hazardous wastes listed in Sections 720.110, 720.111 or 720.112 that are mixed with radioactive/hazardous wastes and soft or debris contaminated with hazardous wastes listed in Sections 720.110, 720.111 or 720.112 that are mixed with radioactive/hazardous wastes are prohibited from land disposal except as provided in subsection (c) below.

Subject to the applicable provisions of Sections 720-130, 720-131 and 720-132, --contaminated-- soil--and-debris-are-prohibited-from-land disposal--as-follows:

Effective May 9, 1994, debris that is contaminated with wastes listed in Section 730.112 and debris that is contaminated with any characteristic waste for which treatment standards are established in Subpart D of this part are prohibited from disposal.

Effective May 07, 1994, mixed-radonactive-hazardous-debris that is contacted with hazardous-wastes listed in Section 700.44-2 and mixed-radonactive-hazardous-wastes that is contaminated with any characteristic-waste for a water-extraction-solvent are characterized as mixed-radonactive-hazardous-waste. Subpart D of the proposed rule prohibits the use of mixed-radonactive-hazardous-waste for a water-extraction-solvent.

Subsections (e)(1)-(e)(2) of this Section shall not apply where the generator has failed to make a good faith effort to locate treatment capacity suitable for its waste; has not utilized such capacity as it has found to be available; or has failed to file a report as required by Section 720-405(f)-(g) by August 12, 1993, or within 90 days after the waste is generated (whichever is later) describing the generator's efforts to locate treatment capacity. Where subsections (e)(1) and (e)(2) of this Section do not apply to a waste described in those two subsections are prohibited from land disposal. BOARD NOTE: This subsection is derived from 40 CFR 860.35(f)(3)-(5) as added to 50 Fed. Reg. 20510 (May 14, 1993). This was a HSWA derived amendment that went into effect as a federal law in 1993, effective May 07, 1993. The August 12, 1993 report was due on that date as a matter of federal law.

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447 Hazardous--soil--having--treatment--standards--in--20--Subpart--B--based  
on--treatment--necessary--meeting--of--a--violation--and--soils  
contaminated--with--hazardous--wastes--listed--in--Sections--30--40  
20--41--and--30--42--that--are--mixed--radioactive--hazardous--wastes  
are--prohibited--from--land--disposal--

5) When used in subsections (e)(1) and (e)(2) of this Section, debts is defined as follows:

At 11:00 a.m. on 11/11/11, the following information was received from the following sources:

[illegible]

+ + + Glass  
 + + Concrete---expanding---cementitious---or---porzofane

stabilized-hazardous-wastes;  
Masonry-and-refractory-bricks;  
v)

vtt Metal-earst-containers--dumps--or-parks  
 vttt Metal-nats--bofist--pipes--pumps--valves--appliances

```

+++++Serap-----u-5-ff-ff-Adm---Code
on-indust+equipment+or

```

721-101(e)(6)-  
his-subsection-corresponds-with-40-CFR-260.35(f), which--pertains--to

n--exemption--from--a--land-disposal-prohibition-up-until-a-date-long  
 in--existed--This-statement-maintains-structural-consistency-with

SEPA-rules-  
his--subsection--corresponds-with-40-CFR-260.35(g)--which-pertains-to

n-exemption-from-a-f-and-disposal-prohibition-up-until-a-date-long  
inee-----expired-----This-statement-maintains-structural-consistency-with

SEPA rates - his submission corresponds with 0.3PR-20.35(h) which pertains to

and fill and surface impoundment disposal of the wastes listed in subsections (c)(7), (d) and (e) above up until a date long since expired.

his statement maintains structural consistency with USEPA rules--the requirements of subsections (e) through (e)(7) above do not apply

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of this Part.

Persons have been granted an exemption from a prohibition

present to a petition under Section 720.106 with respect to those wastes and units covered by the petition;

the water--wee--the applicable alternate standards established pursuant to a petition granted under Section 20-144.

4) Persons have been granted an extension to the effective date of a prohibition pursuant to Section 720.105, with respect to these

**wastes-covered-by-the-extension-**



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- j) To determine whether a hazardous waste listed in Section 720.1107 720.111 or 720.112 exceeds the applicable treatment standards specified in Sections 720.141 and 720.143, the initial generator shall either test a representative sample of the waste extract or the entire waste depending on whether the treatment standards are expressed as concentrations in the waste extract or the waste, or use knowledge of the waste. If the waste contains constituents in excess of the applicable Subpart B of this Part levels, the waste is prohibited from land disposal and all requirements of this Part are applicable except as otherwise specified.
- k) B000--lead materials stored before secondary smelting are prohibited from land disposal. On or before March 17, 1993, the owner or operator of each secondary lead smelting facility shall have submitted the following to the Agency: A binding contractual commitment to construct or otherwise provide capacity for storing such B000 wastes prior to smelting which complies with all applicable storage standards; documentation that the capacity to be provided will be sufficient to manage the entire quantity of such B000 wastes; and a detailed schedule for providing such capacity. Failure by a facility to have submitted such documentation will render such B000 managed by that facility prohibited from land disposal. In addition, the owner or operator of each facility shall place in the facility record documentation of the manner and location in which such wastes will be managed pending completion of such capacity, demonstrating that such management capacity will be adequate and complies with all applicable requirements of 35 Ill. Adm. Code 720 through 720.7.

(Source: Repealed 28-1998 22 Ill. Reg. **17706**, effective

## Section 728.136 Waste Specific Prohibitions -- Newly Listed Wastes (Repealed)

- a) The wastes specified in 35 Ill. Adm. Code 721.132 as U.S. EPA hazardous waste numbers K107, K109, K110, K111, K112, K113, K114, K115, K116, K117, K118, K119, K120, K121, K122, K123, K124, K125, K126, K127, K128, K129, K130, K131, K132, K133, K134, K135, K136, K137, K138, K139, K140, K141, K142, K143, K144, K145, K146, K147, K148, K149, K150, K151, K152, K153, K154, K155, K156, K157, K158, K159, K160, K161, K162, K163, K164, K165, K166, K167, K168, K169, K170, K171, K172, K173, K174, K175, K176, K177, K178, K179, K180, K181, K182, K183, K184, K185, K186, K187, K188, K189, K190, K191, K192, K193, K194, K195, K196, K197, K198, K199, K200, K201, K202, K203, K204, K205, K206, K207, K208, K209, K210, K211, K212, K213, K214, K215, K216, K217, K218, K219, K220, K221, K222, K223, K224, K225, K226, K227, K228, K229, K230, K231, K232, K233, K234, K235, K236, K237, K238, K239, K240, K241, K242, K243, K244, K245, K246, K247, K248, K249, K250, K251, K252, K253, K254, K255, K256, K257, K258, K259, K260, K261, K262, K263, K264, K265, 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K1941, K1942, K1943, K1944, K1945, K1946, K1947, K1948, K1949, K1950, K1951, K1952, K1953, K1954, K1955, K1956, K1957, K1958, K1959, K1960, K1961, K1962, K1963, K1964, K1965, K1966, K1967, K1968, K1969, K1970, K1971, K1972, K1973, K1974, K1975, K1976, K1977, K1978, K1979, K1980, K1981, K1982, K1983, K1984, K1985, K1986, K1987, K1988, K1989, K1990, K1991, K1992, K1993, K1994, K1995, K1996, K1997, K1998, K1999, K2000, K2001, K2002, K2003, K2004, K2005, K2006, K2007, K2008, K2009, K2010, K2011, K2012, K2013, K2014, K2015, K2016, K2017, K2018, K2019, K2020, K2021, K2022, K2023, K2024, K2025, K2026, K2027, K2028, K2029, K2030, K2031, K2032, K2033, K2034, K2035, K2036, K2037, K2038, K2039, K2040, K2041, K2042, K2043, K2044, K2045, K2046, K2047, K2048, K2049, K2050, K2051, K2052, K2053, K2054, K2055, K2056, K2057, K2058, K2059, K2060, K2061, K2062, K2063, K2064, K2065, K2066, K2067, K2068, K2069, K2070, K2071, K2072, K2073, K2074, K2075, K2076, K2077, K2078, K2079, K2080, K2081, K2082, K2083, K2084, K2085, K2086, K2087, K2088, K2089, K2090, K2091, K2092, K2093, K2094, K2095, K2096, K2097, K2098, K2099, K2100, K2101, K2102, K2103, K2104, K2105, K2106, K2107, K2108, K2109, K2110, K2111, K2112, K2113, K2114, K2115, K2116, K2117, K2118, K2119, K2120, K2121, K2122, K2123, K2124, K2125, K2126, K2127, K2128, K2129, K2130, K2131, K2132, K2133, K2134, K2135, K2136, K2137, K2138, K2139, K2140, K2141, K2142, K2143, K2144, K2145, K2146, K2147, K2148, K2149, K2150, K2151, K2152, K2153, K2154, K2155, K2156, K2157, K2158, K2159, K2160, K2161, K2162, K2163, K2164, K2165, K2166, K2167, K2168, K2169, K2170, K2171, K2172, K2173, K2174, K2175, K2176, K2177, K2178, K2179, K2180, K2181, K2182, K2183, K2184, K2185, K2186, K2187, K2188, K2189, K2190, K2191, K2192, K2

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(Source: ~~SEP 28 1993~~ 22 Ill. Reg. **17706**, effective ~~SEP 28 1993~~)

## SUBPART D: TREATMENT STANDARDS

## Section 728.144 Adjustment of Treatment Standard

a) Where the treatment standard is expressed as a concentration in a waste or waste extract and a waste cannot be treated to the specified level, or where the treatment technology is not appropriate to the waste, the generator or treatment facility may petition to the Board for an adjusted treatment standard. As justification, the petitioner shall demonstrate that, because the physical or chemical properties of the waste differ significantly from wastes analyzed in developing the treatment standard, the waste cannot be treated to specified levels or by the specified methods.

BOARD NOTE: 40 CFR 268.44 refers to these as "treatability variances". The Board has not used this term in its rules to avoid confusion with the Board variances under Title IX of the Environmental Protection Act. The equivalent Board procedures are an "adjusted treatment standard" pursuant to subsections (a) through (l) of this Section, or a "treatability exception" adopted pursuant to subsections (m) et seq. While the latter is adopted by "identical in substance" rulemaking following a USFPA action, the former is an original Board action which will be the only mechanism following authorization to the State of this component of the RCRA program.

b) Each petition must be submitted in accordance with the procedures in 35 Ill. Adm. Code 106.Subpart G.

c) Each petition must include the following statement signed by the petitioner or an authorized representative:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this petition and all attached documents, and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

d) After receiving a petition for an adjusted treatment standard, the Board may request any additional information or samples which are necessary to evaluate the petition.

e) The Board will give public notice and provide an opportunity for public comment, as provided in 35 Ill. Adm. Code 106. In conjunction with any updating of the RCRA regulations, the Board will maintain, in this Part, a listing of all adjusted treatment standards granted by the Board pursuant to this Section. A listing of all adjusted

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standards granted pursuant to this Section will be published in the Illinois Register and Environmental Register at the end of each fiscal year. (Section 28.1(d)(3) of the Environmental Protection Act [415 ILCS 5/28.1(d)(3)].)

f) A generator, treatment facility or disposal facility that is managing a waste covered by an adjusted treatment standard shall comply with the waste analysis requirements for restricted wastes found under Section 728.107.

g) During the petition review process, the applicant is required to comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached.

h) Where the treatment standard is expressed as a concentration in a waste or waste extract and a waste generated under conditions specific to only one site cannot be treated to the specified level, or where treatment technology is not appropriate to the waste, the generator or treatment facility may petition the Board for a site-specific adjusted treatment standard. The petitioner shall demonstrate that, because the physical or chemical properties of the waste differs significantly from the waste analyzed in developing the treatment standard, the waste cannot be treated to specified levels or by the specified methods.

i) Each petition for a site-specific adjusted treatment standard must include the information in 35 Ill. Adm. Code 720.120(b)(1) through (b)(4).

j) After receiving a petition for a site-specific adjusted treatment standard, the Board may request any additional information or samples which the Board determines are necessary to evaluate the petition.

k) A generator, treatment facility or disposal facility which is managing a waste covered by a site-specific adjusted treatment standard shall comply with the waste analysis requirements for restricted wastes in Section 728.107.

l) During the petition review process, the petitioner for a site-specific adjusted treatment standard shall comply with all restrictions on land disposal under this Part once the effective date for the waste has been reached.

m) If USEPA grants a treatability exception by regulatory action pursuant to 40 CFR 268.44 (1996) and a person demonstrates that the treatability exception needs to be adopted as part of the Illinois RCRA program because the waste is generated or managed in Illinois, the Board will adopt the treatability exception by identical in substance rulemaking pursuant to Section 22.4(a) of the Environmental Protection Act.

BOARD NOTE: The Board will adopt the treatability exception during a RCRA update Docket if a timely demonstration is made. Otherwise, the Board will assign the matter to a separate Docket. This subsection (m) is not derived directly from a federal regulation. Corresponding 40 CFR 264.1030(m) is marked "reserved" by USEPA.

n) This subsection (n) corresponds with 40 CFR 264.1030(n), marked

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"reserved" by USEPA. This statement maintains structural consistency with USEPA rules.

- o) The facilities listed in Section 728. Table H are excluded from the treatment standards standard under Section 728.143(a) and 728. Table B, and are subject to the constituent concentrations listed in Section 728. Table H.

- p) This subsection (p) corresponds with 40 CFR 244.1030(p) which is a site-specific regulation that applies to a facility outside Illinois. This statement maintains structural consistency with USEPA rules.

(Source: Amended at 22 Ill. Reg. 17706, effective SEP 28 1998)

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Section 728. APPENDIX A Toxicity Characteristic Leaching Procedure (TCLP) (Repealed)

Note:--The--TCLP--(Method--1311)--is--published--in--"West--Methods--for--Evaluating Solid--Waste"--Physical/Chemical--Methods"--U.S.--EPA--Publication--SW-8467--as incorporated--by--reference--in--35--Ill.--Adm--Code--720--111.

(Source: Repealed, at 22 Ill. Reg. 17706, effective SEP 28 1998)



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Section 728.APPENDIX C List of Halogenated Organic Compounds (Repealed)

Section 728.APPENDIX B Treatment Standards (As concentrations in the Treatment Residual Extract) (Repealed)

- Bromodichloromethane
- Bromomethane
- Carbon-tetraehloride
- Chlorobenzene
- 2-Chloro-1,3-butadiene
- Chlorodibromomethane
- Chloroethane
- 2-Chloroethyl-vinyl-ether
- Chloroform
- Chloromethane
- 3-Chloropropene
- 1,2-Dibromo-3-chloropropane
- 1,2-Dibromoethane
- Bibromomethane
- trans-1,4-Dichloro-2-butene
- Dichlorodifluoromethane
- 1,1-Dichloroethane
- 1,2-Dichloroethane
- 1,1-Dichloroethylene
- trans-1,2-Dichloroethene
- 1,2-Dichloropropane
- trans-1,3,7-Dichloropropene
- cis-1,3-Dichloropropene
- Iodomethane
- Methylene-chloride
- 1,1,1,2-Tetraehloroethane
- 1,1,2,2-Tetraehloroethane
- Tetrachloroethene
- Tribromomethane
- 1,1,1-Trichloroethane
- 1,1,2-Trichloroethane
- Trichloroethene
- Trichloromonofluoromethane
- 1,2,3-Trichloropropane
- Vinyl-chloride

VEHICLES

SEMI-VEHICLES

- Bis(2-chloroethoxy)ethane
- Bis(2-chloroethyl)-ether
- Bis(2-chloroisopropyl)-ether
- p-Chloroaniline
- Chlorobenzilate
- p-Chloro-m-cresol

The Board incorporates by reference 40 CFR 368, Appendix II (1992), as amended at 57 Fed. Reg. 37281 (Aug. 18, 1992). This incorporation includes no future editions or amendments.

(Source: Repealed at 22 Ill. Reg. 17706, effective SEP 28 1993)

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2-Chloronaphthalene  
 2-Chlorophenol  
 3-Chloropropionitrile  
 m-Dichlorobenzene  
 o-Dichlorobenzene  
 p-Dichlorobenzene  
 3,3'-Dichlorobenzidine  
 2,4-Dichlorophenol  
 2,6-Dichlorophenol  
 Hexachlorobenzene  
 Hexachlorobutadiene  
 Hexachlorocyclopentadiene  
 Hexachloroethane  
 Hexachlorophene  
 Hexachloropropene  
 4,4'-Methylenebis(2-chloroaniline)  
 Pentachlorobenzene  
 Pentachloroethane  
 Pentachloronitrobenzene  
 Pentachlorophenol  
 Proxamide  
 1,2,4,7,8-Pentachlorobenzene  
 2,3,7,8-Tetrachlorophenol  
 1,2,4-Trichlorobenzene  
 2,4,7-Trichlorophenol  
 2,4,6-Trichlorophenol  
 Tris(2,3-dibromopropyl)phosphate

## ORGANOCHLORINE-PESTICIDES

Aldrin  
 alpha-BHC  
 beta-BHC  
 delta-BHC  
 gamma-BHC  
 Chlordane  
 DDE  
 DDT  
 Dieldrin  
 Endosulfan-I  
 Endosulfan-II  
 Endrin  
 Endrin-aldehyde  
 Heptachlor  
 Heptachlor-epoxide  
 Isodrin  
 Kepone

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Methoxychlor  
 Toxaphene

## PHENOXYACETIC-ACID-HERBICIDES

2,4-Dichlorophenoxyacetic-acid  
 Silvex  
 2,4,7,8-T

## PCBS

Aroclor-1816  
 Aroclor-1221  
 Aroclor-1232  
 Aroclor-1242  
 Aroclor-1248  
 Aroclor-1254  
 Aroclor-1268  
 PCBs-not otherwise-specified

## DIOXINS-AND-FURANS

Hexachlorodibenzo-p-dioxins  
 Hexachlorodibenzofuran  
 Pentachlorodibenzo-p-dioxins  
 Pentachlorodibenzofuran  
 Tetrachlorodibenzo-p-dioxins  
 Tetrachlorodibenzofuran  
 2,3,7,8-Tetrachlorodibenzo-p-dioxin

(Source: Reg. 22 Ill. Reg. 17706, effective

17706, effective

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## Section 728.APPENDIX F Technologies to Achieve Deactivation of Characteristics

The treatment standard for many characteristic wastes is stated in the Section 728, Table T, entitled "Treatment Standards for Hazardous Wastes", as "DEACT and meet Section 728.148 standards." ~~subcategories of B001, B002 and B003 wastes as well as for R044, R045, R047 wastes is listed in Section 728.142 simply as "deactivation to remove the characteristics of ignitability, corrosivity, and reactivity".~~ USEPA has determined that many technologies, when used alone or in combination, can achieve the deactivation portion of the treatment this standard. Characteristic wastes that are not managed in a facility regulated by the CWA or in a CWA-equivalent facility, and that also contain underlying hazardous constituents (see Section 728.102(i)) must be treated not only by a "deactivating" technology to remove the characteristic, but also to achieve the universal treatment standards, (UTS) for underlying hazardous constituents. This appendix ~~The following~~ presents a partial list of these technologies, utilizing the five letter technology codes established in Table C, that may be useful in meeting the treatment standard. Use of these specific technologies is not mandatory and does not preclude direct reuse, recovery or the use of other pretreatment technologies, provided deactivation is achieved and underlying hazardous constituents are treated to achieve the UTS ~~these alternative methods are not performed in units designated as land disposal.~~

Waste code/subcategory	Nonwastewaters	Wastewaters
D001 Ignitable Liquids based on 35 Ill. Adm. Code 721.121(a)(1)--Low TOC	RORGs WETOX	n.a.
Nonwastewater Subcategory (containing one percent to <10 percent % TOC)	INCIN CHOXD BIODG	
D001 Ignitable Liquids based on 35 Ill. Adm. Code 721.121(a)(1)--Ignitable	n.a.	WETOX RORGs INCIN CHOXD BIODG
Wastewater Subcategory (containing <1 percent % TOC)		
D001 Compressed Gases based on 35 Ill. Adm. Code 721.121(a)(3)	RCGAS FSUBS INCIN ADGAS fb. INCIN ADGAS fb. (CHOXD; or CHRED)	n.a.
D001 Ignitable Reactives based on 35 Ill. Adm. Code 721.121(a)(2)	WTRRX CHOXD	n.a.

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D001 Ignitable Oxidizers based on 35 Ill. Adm. Code 721.121(a)(4)	CHRED STABL INCIN	CHRED STABL INCIN
D002 Acid Subcategory based on 35 Ill. Adm. Code 721.122(a)(1) with pH less than or equal to 2	RCORR NEUTR INCIN	RCORR NEUTR INCIN
D002 Alkaline Subcategory based on 35 Ill. Adm. Code 721.122(a)(1) with pH greater than or equal to 12.5	NEUTR INCIN	NEUTR INCIN
D002 Other Corrosive based on 35 Ill. Adm. Code 721.122(a)(2)	CHOXD CHRED INCIN STABL	CHOXD CHRED INCIN STABL
D003 Water Reactives based on 35 Ill. Adm. Code 721.123(a)(2), (3) and (4)	INCIN WTRRX CHOXD CHRED	n.a.
D003 Reactive Sulfides based on 35 Ill. Adm. Code 721.123(a)(5)	CHOXD CHRED BIODG INCIN STABL	CHOXD CHRED BIODG INCIN STABL
D003 Explosives based on 35 Ill. Adm. Code 721.123(a)(6), (7) and	INCIN CHOXD CHRED	INCIN CHOXD CHRED
D003 Other Reactives based on 35 Ill. Adm. Code 721.123(a)(1)	INCIN CHOXD CHRED	INCIN CHOXD CHRED
K044 Wastewater treatment sludges from the manufacturing and processing of explosives	CHOXD CHRED INCIN	CHOXD CHRED BIODG CAREN CHOXD CHRED BIODG CAREN CHOXD CHRED INCIN



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K045 Spent carbon from the treatment of  
wastewaters containing explosives

CHOXD  
CHRED  
BIOBG  
CARBN  
INCIN

K047 Pink/redwater from TNT operations

CHOXD  
CHRED  
INCIN

Note: "n.a." stands for "not applicable".

"fb." stands for "followed by".

(Source: Amended at 22 Ill. Reg.

SEP 28 1998

effective

17706

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## Section 728.APPENDIX G Federal Effective Dates

The following are the effective dates for the USEPA rules in 40 CFR 268. These generally became effective as Illinois rules at a later date.

TABLE 1  
EFFECTIVE DATES OF SURFACE DISPOSED WASTES (NON-SOIL AND  
DEBRIS) REGULATED IN THE LDRS--(A)COMPREHENSIVE LIST

Waste code	Waste category	Effective date
California-list	Liquid-hazardous-wastes-including-free liquids---associated---with---solid---or sludge---containing---free---cyanides---at concentrations-greater-than-or-equal-to 17000-mg/l---or---certain---metals---or compounds---of-these-metals-greater-than or-equal-to-the-prohibition-levels	July-07-1997-
California-list	Liquid---(aqueous)---hazardous---wastes having-a-pH-less-than-or-equal-to-2	July-07-1997-
California-list	Biute-H00-wastewaters---defined---as H00-waste-mixtures---that-are-primarily water-and-that-contain-greater-than---or equal---to---17000-mg/l---but---less---than 107000-mg/l	July-07-1997-
California-list	Liquid-hazardous-waste-containing-PCBs greater-than-or-equal-to-50-ppm	Nov--07-1988-
California-list	Other-liquid---and---nonliquid---hazardous wastes---containing---H00s---in---total concentration-greater-than-or-equal-to 17000-mg	Aug. 9, 1993. Aug--07-1998-
D001(c)	All (except High TOC Ignitable Liquids)	Aug. 8, 1990. Aug 9, 1993.
D001	High TOC Ignitable Liquids	Aug--07-1998-
D002(c)	All	Aug. 8, 1990. Aug 9, 1993.
D003(e)	All	Aug--07-1998-
B004	Wastewater	July 8, 1996.
D004	Nonwastewater	Aug--07-1998-
D004	Wastewater	Aug--07-1998-
D005	All	May 8, 1992.
D006	All	Aug. 8, 1990.
D007	All	Aug. 8, 1990.
D008	Lead materials before secondary smelting	Aug. 8, 1990. May 8, 1992.
D008	All others	Aug. 8, 1990.
D009	Nonwastewater	May 8, 1992.

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D009	All others	Aug. 8, 1990.
D010	All	Aug. 8, 1990.
D011	All	Aug. 8, 1990.
D012 (that exhibit the toxicity characteristic based on the TCLP)(d)	All	Dec. 14, 1994.
D013 (that exhibit the toxicity characteristic based on the TCLP)(d)	All	Aug.-87-1990-
D014 (that exhibit the toxicity characteristic based on the TCLP)(d)	All	Dec. 14, 1994.
D015 (that exhibit the toxicity characteristic based on the TCLP)(d)	All	Aug.-87-1990-
D016 (that exhibit the toxicity characteristic based on the TCLP)(d)	All	Dec. 14, 1994.
D017 (that exhibit the toxicity characteristic based on the TCLP)(d)	All	Aug.-87-1990-
D018	Mixed with radioactive wastes	Sep. 19, 1996.
D019	All others	Dec. 19, 1994.
D020	Mixed with radioactive wastes	Sep. 19, 1996.
D021	All others	Dec. 19, 1994.
D022	Mixed with radioactive wastes	Sep. 19, 1996.
D023	All others	Dec. 19, 1994.
D024	Mixed with radioactive wastes	Sep. 19, 1996.
D025	Mixed with radioactive wastes	Sep. 19, 1996.

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D025	All others	Dec. 19, 1994.
D026	Mixed with radioactive wastes	Sep. 19, 1996.
D027	All others	Dec. 19, 1994.
D028	Mixed with radioactive wastes	Sep. 19, 1996.
D029	All others	Dec. 19, 1994.
D030	Mixed with radioactive wastes	Sep. 19, 1996.
D031	All others	Dec. 19, 1994.
D032	Mixed with radioactive wastes	Sep. 19, 1996.
D033	All others	Dec. 19, 1994.
D034	Mixed with radioactive wastes	Sep. 19, 1996.
D035	All others	Dec. 19, 1994.
D036	Mixed with radioactive wastes	Sep. 19, 1996.
D037	All others	Dec. 19, 1994.
D038	Mixed with radioactive wastes	Sep. 19, 1996.
D039	All others	Dec. 19, 1994.
D040	Mixed with radioactive wastes	Sep. 19, 1996.
D041	All others	Dec. 19, 1994.
D042	Mixed with radioactive wastes	Sep. 19, 1996.
D043	All others	Dec. 19, 1994.
F001	Small quantity generators, response/RCRA corrective initial generator's mixtures, solvent-containing and solids	Nov. 8, 1988.
F002 (1,1,2-trichloroethane)	Small quantity generators, response/RCRA corrective initial generator's solvent-water	Nov. 8, 1988.
F002	Small quantity generators, response/RCRA corrective initial generator's solvent-water	Nov. 8, 1988.

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F002	mixtures, solvent-containing sludges and solids	
F003	All others	Nov. 8, 1986.
	Small quantity generators, CERCLA response/RCRA corrective action, initial generator's solvent-water mixtures, solvent-containing sludges and solids	Nov. 8, 1988.
F003	All others	Nov. 8, 1986.
F004	Small quantity generators, CERCLA response/RCRA corrective action, initial generator's solvent-water mixtures, solvent-containing sludges and solids	Nov. 8, 1988.
F004	All others	Nov. 8, 1986.
F005 (benzene, 2-ethoxyethanol, 2-nitropropane)	Wastewater and Nonwastewater	Aug. 8, 1990.
F005	Small quantity generators, CERCLA response/RCRA corrective action, initial generator's solvent-water mixtures, solvent-containing sludges and solids	Nov. 8, 1988.
F005	All others	Nov. 8, 1986.
F006	Wastewater	Aug. 8, 1990.
F006	Nonwastewater	Nov. 8, 1986.
F006 (cyanides)	Nonwastewater	Aug. 8, 1990.
F007	All	Aug. 8, 1988.
F008	All	July 8, 1989.
F009	All	July 8, 1989.
F010	All	June 8, 1989.
F011 (cyanides)	Nonwastewater	Dec. 8, 1989.
F011	All others	July 8, 1989.
F012 (cyanides)	Nonwastewater	Dec. 8, 1989.
F012	All others	July 8, 1989.
F019	All	Aug. 8, 1990.
F020	All	Nov. 8, 1988.
F021	All	Nov. 8, 1988.
F022	All	Nov. 8, 1988.
F023	All	Nov. 8, 1988.
F024-(metals)	Wastewater	Nov. 8, 1988.
F024-(metals)	Nonwastewater	June 8, 1989.
F024-B	All others	Aug. 8, 1990.
F025	All	Nov. 8, 1988.
F026	All	Nov. 8, 1988.
F027	All	Nov. 8, 1988.
F028	All	Nov. 8, 1988.
F032	Mixed with radioactive wastes	May 12, 1999.

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## NOTICE OF ADOPTED AMENDMENTS

F032	All others	May 12, 1997.
F033	Mixed with radioactive wastes	May 12, 1999.
F033	All others	May 12, 1997.
F034	Mixed with radioactive wastes	May 12, 1997.
F034	All others	May 12, 1997.
F037	Not generated from surface impoundment cleanouts or closures	June 30, 1993.
F037	Generated from surface impoundment cleanouts or closures	June 30, 1994.
F037	Mixed with radioactive wastes	June 30, 1994.
F038	Not generated from surface impoundment cleanouts or closures	June 30, 1993.
F038	Generated from surface impoundment cleanouts or closures	June 30, 1994.
F038	Mixed with radioactive wastes	June 30, 1994.
F039	Wastewater	Aug. 8, 1990.
F039	Nonwastewater	May 8, 1992.
K001 (organics)	All	Aug. 8, 1988.
(b)B	All others	Aug. 8, 1988.
K001	All	Aug. 8, 1990.
K002	All	Aug. 8, 1990.
K003	All	Aug. 8, 1990.
K004	Wastewater	Aug. 8, 1990.
K004 e	Nonwastewater	Aug. 8, 1988.
K005	Wastewater	Aug. 8, 1990.
K005 e	Nonwastewater	Aug. 8, 1990.
K006	All	June 8, 1989.
K007	Wastewater	Aug. 8, 1990.
K007 e	Nonwastewater	Aug. 8, 1990.
K008	Wastewater	June 8, 1989.
K008 e	Nonwastewater	Aug. 8, 1990.
K009	All	Aug. 8, 1988.
K010	All	June 8, 1989.
K011	Wastewater	June 8, 1990.
K011	Nonwastewater	Aug. 8, 1990.
K013	Wastewater	June 8, 1989.
K013	Nonwastewater	Aug. 8, 1990.
K014	Wastewater	June 8, 1989.
K014	Nonwastewater	Aug. 8, 1990.
K015	Wastewater	June 8, 1988.
K015	Nonwastewater	Aug. 8, 1990.
K016	All	Aug. 8, 1988.
K017	All	Aug. 8, 1990.
K018	All	Aug. 8, 1988.
K019	All	Aug. 8, 1988.
K020	All	Aug. 8, 1988.
K021	Wastewater	Aug. 8, 1990.
K021 e	Nonwastewater	Aug. 8, 1988.



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K022	Wastewater	Aug. 8, 1990.
K023	Nonwastewater	Aug. 8, 1988.
K024	All	June 8, 1989.
K025	Wastewater	Aug. 8, 1988.
K026	Nonwastewater	Aug. 8, 1990.
K027	All	Aug. 8, 1988.
K028	All	Aug. 8, 1990.
K028 (metals)	Nonwastewater	June 8, 1989.
K029	All Others	Aug. 8, 1990.
K029	Wastewater	Aug. 8, 1989.
K029	Nonwastewater	Aug. 8, 1990.
K030	All	June 8, 1989.
K031	Wastewater	Aug. 8, 1988.
K031	Nonwastewater	Aug. 8, 1990.
K032	All	May 8, 1992.
K033	All	Aug. 8, 1990.
K034	All	Aug. 8, 1990.
K035	All	Aug. 8, 1990.
K036	Wastewater	Aug. 8, 1989.
K036 e	Nonwastewater	June 8, 1989.
K037 (b)B	Wastewater	Aug. 8, 1988.
K037	Nonwastewater	Aug. 8, 1988.
K038	All	Aug. 8, 1989.
K039	All	June 8, 1989.
K040	All	June 8, 1989.
K041	All	Aug. 8, 1990.
K042	All	Aug. 8, 1990.
K043	All	June 8, 1989.
K044 e	All	Aug. 8, 1988.
K045 e	All	Aug. 8, 1988.
K046	Nonwastewater	Aug. 8, 1988.
(Nonreactive)		
K046	All others	Aug. 8, 1990.
K047 e	All	Aug. 8, 1988.
K048	Wastewater	Aug. 8, 1990.
K048	Nonwastewater	Nov. 8, 1990.
K049	Wastewater	Aug. 8, 1990.
K049	Nonwastewater	Nov. 8, 1990.
K050	Wastewater	Aug. 8, 1990.
K050	Nonwastewater	Nov. 8, 1990.
K051	Wastewater	Aug. 8, 1990.
K051	Nonwastewater	Nov. 8, 1990.
K052	Wastewater	Aug. 8, 1990.
K052	Nonwastewater	Nov. 8, 1990.
K060	Wastewater	Aug. 8, 1990.
K060 e	Nonwastewater	Aug. 8, 1988.
K061	Wastewater	Aug. 8, 1990.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K061 (low-zinc)	Nonwastewater	June 30, 1992.
(interim		Aug. 8, 1988.
standard-for		
high-zinc		
remains-in		
effect-unit		
August-77-1991		
K062	All	Aug. 8, 1988.
K069 (Non-	Nonwastewater	Aug. 8, 1988.
Calcium Sulfate)		
e		
K069	All others	Aug. 8, 1990.
K071	All	Aug. 8, 1990.
K073	All	Aug. 8, 1990.
K083	All	Aug. 8, 1990.
K084	Wastewater	Aug. 8, 1990.
K084	Nonwastewater	Aug. 8, 1990.
K085	All	May 8, 1992.
K086 (organics)	All	Aug. 8, 1990.
(b)B	All	Aug. 8, 1988.
K086	All others	Aug. 8, 1988.
K087	All	Aug. 8, 1988.
K088	Mixed with radioactive wastes	Apr. 8, 1988.
K088	All others	Jan. 8, 1992.
K093	All	June 8, 1989.
K094	All	June 8, 1989.
K095	Wastewater	Aug. 8, 1990.
K095	Nonwastewater	Aug. 8, 1990.
K096	Wastewater	June 8, 1989.
K096	Nonwastewater	Aug. 8, 1990.
K097	All	June 8, 1989.
K098	All	Aug. 8, 1990.
K099	All	Aug. 8, 1988.
K100	Wastewater	Aug. 8, 1990.
K100 e	Nonwastewater	Aug. 8, 1988.
K101 (organics)	Wastewater	Aug. 8, 1988.
K101 (metals)	Wastewater	Aug. 8, 1990.
K101 (organics)	Nonwastewater	Aug. 8, 1990.
K101 (metals)	Nonwastewater	Aug. 8, 1988.
K102 (organics)	Wastewater	May 8, 1992.
K102 (metals)	Wastewater	Aug. 8, 1988.
K102 (organics)	Nonwastewater	Aug. 8, 1990.
K102 (metals)	Nonwastewater	Aug. 8, 1988.
K103	All	May 8, 1992.
K104	All	Aug. 8, 1988.
K105	All	Aug. 8, 1990.
K106	Wastewater	Aug. 8, 1990.
K106	Nonwastewater	Aug. 8, 1990.



## POLLUTION CONTROL BOARD

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P029	All	June 8, 1989.	P082	All	Aug. 8, 1990.
P030	All	June 8, 1989.	P084	All	Aug. 8, 1990.
P031	All	Aug. 8, 1990.	P085	All	June 8, 1989.
P033	All	Aug. 8, 1990.	P087	All	May 8, 1992.
P034	All	Aug. 8, 1990.	P088	All	Aug. 8, 1990.
P036	Wastewater	Aug. 8, 1990.	P089	All	June 8, 1989.
P037	Nonwastewater	May 8, 1992.	P092	Wastewater	Aug. 8, 1990.
P038	All	Aug. 8, 1990.	P092	Nonwastewater	May 8, 1992.
P038	Wastewater	Aug. 8, 1990.	P093	All	Aug. 8, 1990.
P039	Nonwastewater	May 8, 1992.	P094	All	June 8, 1989.
P040	All	June 8, 1989.	P095	All	Aug. 8, 1990.
P041	All	June 8, 1989.	P096	All	Aug. 8, 1990.
P041	All	June 8, 1989.	P097	All	June 8, 1989.
P042	All	Aug. 8, 1990.	P098	All	June 8, 1989.
P043	All	June 8, 1989.	P099	(silver)	Aug. 8, 1990.
P044	All	June 8, 1989.	P099	Wastewater	Aug. 8, 1990.
P045	All	June 8, 1989.	P101	All others	June 8, 1989.
P046	All	Aug. 8, 1990.	P102	All	Aug. 8, 1990.
P047	All	Aug. 8, 1990.	P103	All	Aug. 8, 1990.
P048	All	Aug. 8, 1990.	P104	Wastewater	Aug. 8, 1990.
P049	All	Aug. 8, 1990.	P104	All others	June 8, 1989.
P050	All	Aug. 8, 1990.	P105	All	Aug. 8, 1990.
P051	All	Aug. 8, 1990.	P106	All	Aug. 8, 1990.
P054	All	Aug. 8, 1990.	P108	All	Aug. 8, 1990.
P056	All	Aug. 8, 1990.	P109	All	June 8, 1989.
P057	All	Aug. 8, 1990.	P110	All	Aug. 8, 1990.
P058	All	Aug. 8, 1990.	P111	All	June 8, 1989.
P059	All	Aug. 8, 1990.	P112	All	Aug. 8, 1990.
P060	All	Aug. 8, 1990.	P113	All	Aug. 8, 1990.
P062	All	June 8, 1989.	P114	All	Aug. 8, 1990.
P063	All	June 8, 1989.	P115	All	Aug. 8, 1990.
P064	All	Aug. 8, 1990.	P116	All	Aug. 8, 1990.
P065	Wastewater	Aug. 8, 1990.	P118	All	Aug. 8, 1990.
P065	Nonwastewater	May 8, 1992.	P119	All	Aug. 8, 1990.
P066	All	Aug. 8, 1990.	P120	All	Aug. 8, 1990.
P067	All	Aug. 8, 1990.	P121	All	Aug. 8, 1990.
P068	All	Aug. 8, 1990.	P122	All	Aug. 8, 1990.
P069	All	Aug. 8, 1990.	P123	All	Aug. 8, 1990.
P070	All	Aug. 8, 1990.	P127	Mixed with radioactive wastes	Apr. 8, 1998.
P071	All	June 8, 1989.	P127	All others	July 8, 1996.
P072	All	Aug. 8, 1990.	P128	Mixed with radioactive wastes	Apr. 8, 1998.
P073	All	Aug. 8, 1990.	P128	All others	July 8, 1996.
P074	All	June 8, 1989.	P185	Mixed with radioactive wastes	Apr. 8, 1998.
P075	All	Aug. 8, 1990.	P185	All others	July 8, 1996.
P076	All	Aug. 8, 1990.	P188	Mixed with radioactive wastes	Apr. 8, 1998.
P077	All	Aug. 8, 1990.	P188	All others	July 8, 1996.
P078	All	Aug. 8, 1990.	P189	Mixed with radioactive wastes	Apr. 8, 1998.
P081	All	Aug. 8, 1990.	P189	All others	July 8, 1996.

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## NOTICE OF ADOPTED AMENDMENTS

P082	All	Aug. 8, 1990.
P084	All	Aug. 8, 1990.
P085	All	June 8, 1989.
P087	All	May 8, 1992.
P088	All	Aug. 8, 1990.
P089	All	June 8, 1989.
P092	Wastewater	Aug. 8, 1990.
P092	Nonwastewater	May 8, 1992.
P093	All	Aug. 8, 1990.
P094	All	June 8, 1989.
P095	All	Aug. 8, 1990.
P096	All	Aug. 8, 1990.
P097	All	June 8, 1989.
P098	All	June 8, 1989.
P099	(silver)	Aug. 8, 1990.
P099	Wastewater	Aug. 8, 1990.
P101	All others	June 8, 1989.
P102	All	Aug. 8, 1990.
P103	All	Aug. 8, 1990.
P104	Wastewater	Aug. 8, 1990.
P104	All others	June 8, 1989.
P105	All	Aug. 8, 1990.
P106	All	Aug. 8, 1990.
P108	All	Aug. 8, 1990.
P109	All	June 8, 1989.
P110	All	Aug. 8, 1990.
P111	All	June 8, 1989.
P112	All	Aug. 8, 1990.
P113	All	Aug. 8, 1990.
P114	All	Aug. 8, 1990.
P115	All	Aug. 8, 1990.
P116	All	Aug. 8, 1990.
P118	All	Aug. 8, 1990.
P119	All	Aug. 8, 1990.
P120	All	Aug. 8, 1990.
P121	All	Aug. 8, 1990.
P122	All	Aug. 8, 1990.
P123	All	Aug. 8, 1990.
P127	Mixed with radioactive wastes	Apr. 8, 1998.
P127	All others	July 8, 1996.
P128	Mixed with radioactive wastes	Apr. 8, 1998.
P128	All others	July 8, 1996.
P185	Mixed with radioactive wastes	Apr. 8, 1998.
P185	All others	July 8, 1996.
P188	Mixed with radioactive wastes	Apr. 8, 1998.
P188	All others	July 8, 1996.
P189	Mixed with radioactive wastes	Apr. 8, 1998.
P189	All others	July 8, 1996.



## POLLUTION CONTROL BOARD

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P190	Mixed with radioactive wastes	Apr. 8, 1998.	U024	All	Aug. 8, 1990.
P190	All others	July 8, 1996.	U025	All	Aug. 8, 1990.
P191	Mixed with radioactive wastes	Apr. 8, 1998.	U026	All	Aug. 8, 1990.
P191	All others	July 8, 1996.	U027	All	Aug. 8, 1990.
P192	Mixed with radioactive wastes	Apr. 8, 1998.	U028	All	June 8, 1989.
P192	All others	July 8, 1996.	U029	All	Aug. 8, 1990.
P194	Mixed with radioactive wastes	Apr. 8, 1998.	U030	All	Aug. 8, 1990.
P194	All others	July 8, 1996.	U031	All	Aug. 8, 1990.
P196	Mixed with radioactive wastes	Apr. 8, 1998.	U032	All	Aug. 8, 1990.
P196	All others	July 8, 1996.	U033	All	Aug. 8, 1990.
P197	Mixed with radioactive wastes	Apr. 8, 1998.	U034	All	Aug. 8, 1990.
P197	All others	July 8, 1996.	U035	All	Aug. 8, 1990.
P198	Mixed with radioactive wastes	Apr. 8, 1998.	U036	All	Aug. 8, 1990.
P198	All others	July 8, 1996.	U037	All	Aug. 8, 1990.
P199	Mixed with radioactive wastes	Apr. 8, 1998.	U038	All	Aug. 8, 1990.
P199	All others	July 8, 1996.	U039	All	Aug. 8, 1990.
P201	Mixed with radioactive wastes	Apr. 8, 1998.	U041	All	Aug. 8, 1990.
P201	All others	July 8, 1996.	U042	All	Aug. 8, 1990.
P202	Mixed with radioactive wastes	Apr. 8, 1998.	U043	All	Aug. 8, 1990.
P202	All others	July 8, 1996.	U044	All	Aug. 8, 1990.
P203	Mixed with radioactive wastes	Apr. 8, 1998.	U045	All	Aug. 8, 1990.
P203	All others	July 8, 1996.	U046	All	Aug. 8, 1990.
P204	Mixed with radioactive wastes	Apr. 8, 1998.	U047	All	Aug. 8, 1990.
P204	All others	July 8, 1996.	U048	All	Aug. 8, 1990.
P205	Mixed with radioactive wastes	Apr. 8, 1998.	U049	All	Aug. 8, 1990.
P205	All others	July 8, 1996.	U050	All	Aug. 8, 1990.
U001	All	Aug. 8, 1990.	U051	All	Aug. 8, 1990.
U002	All	Aug. 8, 1990.	U052	All	Aug. 8, 1990.
U003	All	Aug. 8, 1990.	U053	All	Aug. 8, 1990.
U004	All	Aug. 8, 1990.	U055	All	Aug. 8, 1990.
U005	All	Aug. 8, 1990.	U056	All	Aug. 8, 1990.
U006	All	Aug. 8, 1990.	U057	All	Aug. 8, 1990.
U007	All	Aug. 8, 1990.	U058	All	June 8, 1989.
U008	All	Aug. 8, 1990.	U059	All	Aug. 8, 1990.
U009	All	Aug. 8, 1990.	U060	All	Aug. 8, 1990.
U010	All	Aug. 8, 1990.	U061	All	Aug. 8, 1990.
U011	All	Aug. 8, 1990.	U062	All	Aug. 8, 1990.
U012	All	Aug. 8, 1990.	U063	All	Aug. 8, 1990.
U014	All	Aug. 8, 1990.	U064	All	Aug. 8, 1990.
U015	All	Aug. 8, 1990.	U066	All	Aug. 8, 1990.
U016	All	Aug. 8, 1990.	U067	All	Aug. 8, 1990.
U017	All	Aug. 8, 1990.	U068	All	Aug. 8, 1990.
U018	All	Aug. 8, 1990.	U069	All	June 30, 1992.
U019	All	Aug. 8, 1990.			<del>June 8, 1989.</del>
U020	All	Aug. 8, 1990.	U070	All	Aug. 8, 1990.
U021	All	Aug. 8, 1990.	U071	All	Aug. 8, 1990.
U022	All	Aug. 8, 1990.	U072	All	Aug. 8, 1990.
U023	All	Aug. 8, 1990.	U073	All	Aug. 8, 1990.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## POLLUTION CONTROL BOARD

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U074	All	Aug. 8, 1990.
U075	All	Aug. 8, 1990.
U076	All	Aug. 8, 1990.
U077	All	Aug. 8, 1990.
U078	All	Aug. 8, 1990.
U079	All	Aug. 8, 1990.
U080	All	Aug. 8, 1990.
U081	All	Aug. 8, 1990.
U082	All	Aug. 8, 1990.
U083	All	Aug. 8, 1990.
U084	All	Aug. 8, 1990.
U085	All	Aug. 8, 1990.
U086	All	Aug. 8, 1990.
U087	All	June 8, 1989.
U088	All	June 8, 1989.
U089	All	Aug. 8, 1990.
U090	All	Aug. 8, 1990.
U091	All	Aug. 8, 1990.
U092	All	Aug. 8, 1990.
U093	All	Aug. 8, 1990.
U094	All	Aug. 8, 1990.
U095	All	Aug. 8, 1990.
U096	All	Aug. 8, 1990.
U097	All	Aug. 8, 1990.
U098	All	Aug. 8, 1990.
U099	All	Aug. 8, 1990.
U101	All	Aug. 8, 1990.
U102	All	June 8, 1989.
U103	All	Aug. 8, 1990.
U105	All	Aug. 8, 1990.
U106	All	Aug. 8, 1990.
U107	All	June 8, 1989.
U108	All	Aug. 8, 1990.
U109	All	Aug. 8, 1990.
U110	All	Aug. 8, 1990.
U111	All	Aug. 8, 1990.
U112	All	Aug. 8, 1990.
U113	All	Aug. 8, 1990.
U114	All	Aug. 8, 1990.
U115	All	Aug. 8, 1990.
U116	All	Aug. 8, 1990.
U117	All	Aug. 8, 1990.
U118	All	Aug. 8, 1990.
U119	All	Aug. 8, 1990.
U120	All	Aug. 8, 1990.
U121	All	Aug. 8, 1990.
U122	All	Aug. 8, 1990.
U123	All	Aug. 8, 1990.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

U124	All	Aug. 8, 1990.
U125	All	Aug. 8, 1990.
U126	All	Aug. 8, 1990.
U127	All	Aug. 8, 1990.
U128	All	Aug. 8, 1990.
U129	All	Aug. 8, 1990.
U130	All	Aug. 8, 1990.
U131	All	Aug. 8, 1990.
U132	All	Aug. 8, 1990.
U133	All	Aug. 8, 1990.
U134	All	Aug. 8, 1990.
U135	All	Aug. 8, 1990.
U136	Wastewater	Aug. 8, 1990.
U137	Nonwastewater	May 8, 1992.
U138	All	Aug. 8, 1990.
U140	All	Aug. 8, 1990.
U141	All	Aug. 8, 1990.
U142	All	Aug. 8, 1990.
U143	All	Aug. 8, 1990.
U144	All	Aug. 8, 1990.
U145	All	Aug. 8, 1990.
U146	All	Aug. 8, 1990.
U147	All	Aug. 8, 1990.
U148	All	Aug. 8, 1990.
U149	All	Aug. 8, 1990.
U150	All	Aug. 8, 1990.
U151	Wastewater	Aug. 8, 1990.
U151	Nonwastewater	May 8, 1992.
U152	All	Aug. 8, 1990.
U153	All	Aug. 8, 1990.
U154	All	Aug. 8, 1990.
U155	All	Aug. 8, 1990.
U156	All	Aug. 8, 1990.
U157	All	Aug. 8, 1990.
U158	All	Aug. 8, 1990.
U159	All	Aug. 8, 1990.
U160	All	Aug. 8, 1990.
U161	All	Aug. 8, 1990.
U162	All	Aug. 8, 1990.
U163	All	Aug. 8, 1990.
U164	All	Aug. 8, 1990.
U165	All	Aug. 8, 1990.
U166	All	Aug. 8, 1990.
U167	All	Aug. 8, 1990.
U168	All	Aug. 8, 1990.
U169	All	Aug. 8, 1990.
U170	All	Aug. 8, 1990.





## POLLUTION CONTROL BOARD

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U376	Mixed with radioactive wastes	Apr. 8, 1998.
U376	All others	July 8, 1996.
U377	Mixed with radioactive wastes	Apr. 8, 1998.
U377	All others	July 8, 1996.
U378	Mixed with radioactive wastes	Apr. 8, 1998.
U378	All others	July 8, 1996.
U379	Mixed with radioactive wastes	Apr. 8, 1998.
U379	All others	July 8, 1996.
U381	Mixed with radioactive wastes	Apr. 8, 1998.
U381	All others	July 8, 1996.
U382	Mixed with radioactive wastes	Apr. 8, 1998.
U382	All others	July 8, 1996.
U383	Mixed with radioactive wastes	Apr. 8, 1998.
U383	All others	July 8, 1996.
U384	Mixed with radioactive wastes	Apr. 8, 1998.
U384	All others	July 8, 1996.
U385	Mixed with radioactive wastes	Apr. 8, 1998.
U385	All others	July 8, 1996.
U386	Mixed with radioactive wastes	Apr. 8, 1998.
U386	All others	July 8, 1996.
U387	Mixed with radioactive wastes	Apr. 8, 1998.
U387	All others	July 8, 1996.
U389	Mixed with radioactive wastes	Apr. 8, 1998.
U389	All others	July 8, 1996.
U390	Mixed with radioactive wastes	Apr. 8, 1998.
U390	All others	July 8, 1996.
U391	Mixed with radioactive wastes	Apr. 8, 1998.
U391	All others	July 8, 1996.
U392	Mixed with radioactive wastes	Apr. 8, 1998.
U392	All others	July 8, 1996.
U393	Mixed with radioactive wastes	Apr. 8, 1998.
U393	All others	July 8, 1996.
U394	Mixed with radioactive wastes	Apr. 8, 1998.
U394	All others	July 8, 1996.
U395	Mixed with radioactive wastes	Apr. 8, 1998.
U395	All others	July 8, 1996.
U396	Mixed with radioactive wastes	Apr. 8, 1998.
U396	All others	July 8, 1996.
U400	Mixed with radioactive wastes	Apr. 8, 1998.
U400	All others	July 8, 1996.
U401	Mixed with radioactive wastes	Apr. 8, 1998.
U401	All others	July 8, 1996.
U402	Mixed with radioactive wastes	Apr. 8, 1998.
U402	All others	July 8, 1996.
U403	Mixed with radioactive wastes	Apr. 8, 1998.
U403	All others	July 8, 1996.
U404	Mixed with radioactive wastes	Apr. 8, 1998.
U404	All others	July 8, 1996.

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U407	Mixed with radioactive wastes	Apr. 8, 1998.
U407	All others	July 8, 1996.
U409	Mixed with radioactive wastes	Apr. 8, 1998.
U409	All others	July 8, 1996.
U410	Mixed with radioactive wastes	Apr. 8, 1998.
U410	All others	July 8, 1996.
U411	Mixed with radioactive wastes	Apr. 8, 1998.
U411	All others	July 8, 1996.
(a)A	This table does not include mixed radioactive wastes (from the First, Second, and Third rules) which are receiving a national capacity variance until May 8, 1992, for all applicable treatment technologies. This table does not include contaminated soil and debris wastes.	
(b)B	The standard was has--been revised in the Third Third Final Rule (adopted by USEPA at 55 Fed. Reg. 22520 (June 1, 1990)) and by the Board in docket R90-11 by orders dated April 11, May 23, and August 8 and 22, 1991).	
(c) C	USEPA amended the No-land-disposal standard has-been-revised in the Third Third Emergency Final Rule (at 58 Fed. Reg. 29860 (May 24, 1993)), which the Board adopted in docket R93-16 on March 17, 1994; the original effective date was August 8, 1990.	
(d)	The standard was revised in the Phase II Final Rule (which USEPA adopted at 59 Fed. Reg. 47982 (Sept. 19, 1994)) and the Board adopted in docket R95-6 by orders dated June 1 and 15, 1995; the original effective date was August 8, 1990.	
(e)	The standards for selected reactive wastes was revised in the Phase III Final Rule (which USEPA adopted at 61 Fed. Reg. 15566 (Apr. 8, 1996)) and the Board adopted in docket R96-10/R97-3/R97-5 (consolidated) by an order dated November 6, 1997; the original effective date was August 8, 1990.	

TABLE 2  
SUMMARY OF EFFECTIVE DATES OF LAND DISPOSAL RESTRICTIONS  
FOR CONTAMINATED SOIL AND DEBRIS (CSD)

Restricted hazardous waste in CSD	Effective date
1. Solvent-(F001-F005) and dioxin-(F020-F023 and F026-F028) containing soil and debris from CERCLA response of RCRA corrective actions.	Nov. 8, 1990.
2. Soil and debris not from CERCLA response or RCRA corrective actions contaminated with less than 1 one percent * total solvents	Nov. 8, 1988.

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3. (F001-F005) or dioxins (F020-F023 and F026-F028).  
Soil and debris contaminated with California list HOGs from CERCLA response or RERA corrective actions. Nov. 8, 1990.
4. Soil and debris contaminated with California list HOGs not from CERCLA response or RERA corrective actions. July 8, 1990.
35. All soil and debris contaminated with First Third wastes for which treatment standards are based on incineration. Aug. 8, 1990.
46. All soil and debris contaminated with Second Third wastes for which treatment standards are based on incineration. June 8, 1991.
57. All soil and debris contaminated with Third Third wastes or, First or Second Third "soft hammer" wastes which had treatment standards promulgated in the Third Third rule, for which treatment standards are based on incineration, vitrification, or mercury retorting, acid leaching followed by chemical precipitation, or thermal recovery of metals, as well as all inorganic solids debris contaminated with D004-D011 wastes, and all soil and debris contaminated with mixed RCRA/radioactive wastes. May 8, 1992.
6. Soil and debris contaminated with D012-D043, K141-K145, and K147-151 wastes. Dec. 19, 1994.
7. Debris (only) contaminated with F037, F038, K107-K112, K117, K118, K123-K126, K131, K132, K136, U328, U353, U359. Dec. 19, 1994.
8. Soil and debris contaminated with K156-K161, P127, P128, P188-P192, P194, P196-P199, P201-P205, U271, U277-U280, U364-U367, U372, U373, U375-U379, U381-U387, U389-U396, U400-U404, U407, and U409-U411 wastes. July 8, 1996.
9. Soil and debris contaminated with K088 wastes. Jan. 8, 1997.
10. Soil and debris contaminated with radioactive wastes mixed with K088, K156-K161, P127, P128, P188-P192, P194, P196-P199, P201-P205, U271, U277-U280, U364-U367, U372, U373, U375-U379, U381-U387, U389-U396, U400-U404, U407, and U409-U411 wastes. April 8, 1998.

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11. Soil and debris contaminated with F032, F034, and F035. May 12, 1997.

BOARD NOTE: This table is provided for the convenience of the reader.

(Source: Amended at 22 Ill. Reg. 17706, effective SEP 28 1998)

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## Section 728.APPENDIX H National Capacity LDR Variances for UIC Wastes

See Note(a)

Waste Code	Waste Category	Effective date
P001-P005	All--spent--P001-P005--solvent containing--less--than--1--percent total--P001-P005--solvent constituents	Aug--07-1990-
California-list	Liquid--hazardous--wastes--including--free--liquids associated--with--any--solid--or sludge--containing--free cyanides--at--concentrations greater--than--or--equal--to--17000 mg/l--or--containing--certain metals--or--compounds--of--these metals--greater--than--or--equal--to--the--prohibition--levels	Aug--07-1990-
California-list	Liquid--hazardous--waste--having a--pH--less--than--or--equal--to--2	Aug--07-1990-
California-list	Hazardous--wastes--containing H009--in--total--concentrations less--than--10,000--mg/l--but greater--than--or--equal--to--17000 mg/l	Feb. 10, 1994.
D001 (except High TOC	All	Feb. 10, 1994.
Ignitable Liquids		
Subcategory)(c)		
D001 (High		
TOC Ignitable		
Characteristic		
Liquids Sub-		
Category)		
D002 (b)B	All	May 8, 1992.
D002(c)	All	Feb. 10, 1994.
D003 (cyanides)	All	May 8, 1992.
D003 (sulfides)	All	May 8, 1992.
D003	All	May 8, 1992.
(explosives, reactives).		
D007	All	May 8, 1992.
D009	Nonwastewater	May 8, 1992.
D012	All	Sep. 19, 1995.
D013	All	Sep. 19, 1995.
D014	All	Sep. 19, 1995.

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D015	All	Sep. 19, 1995.
D016	All	Sep. 19, 1995.
D017	All	Sep. 19, 1995.
D018	All, including mixed with radioactive wastes	Apr. 8, 1998.
D019	All, including mixed with radioactive wastes	Apr. 8, 1998.
D020	All, including mixed with radioactive wastes	Apr. 8, 1998.
D021	All, including mixed with radioactive wastes	Apr. 8, 1998.
D022	All, including mixed with radioactive wastes	Apr. 8, 1998.
D023	All, including mixed with radioactive wastes	Apr. 8, 1998.
D024	All, including mixed with radioactive wastes	Apr. 8, 1998.
D025	All, including mixed with radioactive wastes	Apr. 8, 1998.
D026	All, including mixed with radioactive wastes	Apr. 8, 1998.
D027	All, including mixed with radioactive wastes	Apr. 8, 1998.
D028	All, including mixed with radioactive wastes	Apr. 8, 1998.
D029	All, including mixed with radioactive wastes	Apr. 8, 1998.
D030	All, including mixed with radioactive wastes	Apr. 8, 1998.
D031	All, including mixed with radioactive wastes	Apr. 8, 1998.
D032	All, including mixed with radioactive wastes	Apr. 8, 1998.
D033	All, including mixed with radioactive wastes	Apr. 8, 1998.
D034	All, including mixed with radioactive wastes	Apr. 8, 1998.
D035	All, including mixed with radioactive wastes	Apr. 8, 1998.
D036	All, including mixed with radioactive wastes	Apr. 8, 1998.
D037	All, including mixed with radioactive wastes	Apr. 8, 1998.
D038	All, including mixed with radioactive wastes	Apr. 8, 1998.
D039	All, including mixed with radioactive wastes	Apr. 8, 1998.



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D040	All, including mixed with radioactive wastes	Apr. 8, 1998.
D041	All, including mixed with radioactive wastes	Apr. 8, 1998.
D042	All, including mixed with radioactive wastes	Apr. 8, 1998.
D043	All, including mixed with radioactive wastes	Apr. 8, 1998.
F001-F005	All spent F001-F005 solvent containing less than 1 percent total F001-F005 solvent constituents	Aug. 8, 1990.
F007	All	June 8, 1991.
F032	All, including mixed with radioactive wastes	May 12, 1999.
F034	All, including mixed with radioactive wastes	May 12, 1999.
F035	All, including mixed with radioactive wastes	May 12, 1999.
F037	All	Nov. 8, 1992.
F038	All	Nov. 8, 1992.
F039	Wastewater	May 8, 1992.
K009	Wastewater	June 8, 1991.
K011	Nonwastewater	June 8, 1991.
K011	Wastewater	May 8, 1992.
K013	Nonwastewater	June 8, 1991.
K014	Wastewater	May 8, 1992.
K016	All	May 8, 1992.
K049	All	June 8, 1991.
K050	All	Aug. 8, 1990.
K051	All	Aug. 8, 1990.
K052	All	Aug. 8, 1990.
K062	All	Aug. 8, 1990.
K071	All	Aug. 8, 1990.
K088	All	Jan. 8, 1997.
K104	All	Aug. 8, 1990.
K107	All	Nov. 8, 1992.
K108	All	Nov. 9, 1992.
K109	All	Nov. 9, 1992.
K110	All	Nov. 9, 1992.
K111	All	Nov. 9, 1992.
K112	All	Nov. 9, 1992.
K117	All	June 30, 1995.
K118	All	June 30, 1995.
K123	All	Nov. 9, 1992.
K124	All	Nov. 9, 1992.
K125	All	Nov. 9, 1992.

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K126	All	Nov. 9, 1992.
K131	All	June 30, 1995.
K132	All	June 30, 1995.
K136	All	Nov. 9, 1992.
K141	All	Dec. 19, 1994.
K142	All	Dec. 19, 1994.
K143	All	Dec. 19, 1994.
K144	All	Dec. 19, 1994.
K145	All	Dec. 19, 1994.
K147	All	Dec. 19, 1994.
K148	All	Dec. 19, 1994.
K149	All	Dec. 19, 1994.
K150	All	Dec. 19, 1994.
K151	All	Dec. 19, 1994.
K156	All	July 8, 1996.
K157	All	July 8, 1996.
K158	All	July 8, 1996.
K159	All	July 8, 1996.
K160	All	July 8, 1996.
K161	All	July 8, 1996.
P127	All	July 8, 1996.
P128	All	July 8, 1996.
P185	All	July 8, 1996.
P188	All	July 8, 1996.
P189	All	July 8, 1996.
P190	All	July 8, 1996.
P191	All	July 8, 1996.
P192	All	July 8, 1996.
P194	All	July 8, 1996.
P196	All	July 8, 1996.
P197	All	July 8, 1996.
P198	All	July 8, 1996.
P199	All	July 8, 1996.
P201	All	July 8, 1996.
P202	All	July 8, 1996.
P203	All	July 8, 1996.
P204	All	July 8, 1996.
P205	All	July 8, 1996.
P271	All	July 8, 1996.
U277	All	July 8, 1996.
U278	All	July 8, 1996.
U279	All	July 8, 1996.
U280	All	July 8, 1996.
U328	All	Nov. 9, 1992.
U353	All	Nov. 9, 1992.
U359	All	Nov. 9, 1992.
U364	All	July 8, 1996.
U365	All	July 8, 1996.

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U366	All	July 8, 1996.
U367	All	July 8, 1996.
U372	All	July 8, 1996.
U373	All	July 8, 1996.
U375	All	July 8, 1996.
U376	All	July 8, 1996.
U377	All	July 8, 1996.
U378	All	July 8, 1996.
U379	All	July 8, 1996.
U381	All	July 8, 1996.
U382	All	July 8, 1996.
U383	All	July 8, 1996.
U384	All	July 8, 1996.
U385	All	July 8, 1996.
U386	All	July 8, 1996.
U387	All	July 8, 1996.
U389	All	July 8, 1996.
U390	All	July 8, 1996.
U391	All	July 8, 1996.
U392	All	July 8, 1996.
U395	All	July 8, 1996.
U396	All	July 8, 1996.
U400	All	July 8, 1996.
U401	All	July 8, 1996.
U402	All	July 8, 1996.
U403	All	July 8, 1996.
U404	All	July 8, 1996.
U407	All	July 8, 1996.
U409	All	July 8, 1996.
U410	All	July 8, 1996.
U411	All	July 8, 1996.

(a) A Wastes that are deep well disposed on-site receive a six-month variance, with restrictions effective in November 1990.

(b) B Deep well injected D002 liquids with a pH less than 2 must meet the California List treatment standards on August 8, 1990.

(c) Managed in systems defined in 35 Ill. Adm. Code 730.105(e) as Class V infection wells that do not engage in CWA-equivalent treatment before injection.

BOARD NOTE: This table is provided for the convenience of the reader.

(Source: Amended at 22 Ill. Reg. 17706, effective SEP 28 1998)

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## NOTICE OF ADOPTED AMENDMENTS

## Section 728. APPENDIX J Recordkeeping, Notification, and Certification Requirements (Repealed)

Entity-and Scenario	Frequency	Recipient-of Notification	Recordkeeping Notification-and Certification Requirements
1-Generator			
A- Waste-does-not meet-applicable treatment standards-or exceeds-applicable prohibition-levels (see-Section 728-107(a)(1))	Each-shipment	Treatment-or storage facility	Notice-must include:  U-S-EPA-hazardous waste-number  Constituents-of concern  --Treatability group  --Manifest-number  --Waste-analysis data-(where available)  Notice-and-certifi- cation-statement that-waste-meets applicable-treat- ment-standards-or applicable prohibition levels Notice-must include:  --U-S-EPA-hazardous waste-number  --Constituents-of concern  --Treatability group
B- Waste-can-be disposed-of without-further treatment-(meets applicable treatment-stan- dards-or-does-not exceed-prohibition levels-upon-gen- eration)-(see Section-728-107 (a)(2))	Each-shipment	Land-disposal facility	

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--Manifest-number-

--Waste-analysis data-(where available)-

Certification statement-required under-Section 720-107(a)(2)(B) that-waste-complies with-treatment standards-and prohibitions-

Notice-must include-

--Statement-that waste-is-not prohibited-from land-disposal-

--U-S--EPA-hazardous waste-number-

--Constituents-of concern-

--Treatability group-

--Manifest-number-

--Waste-analysis data-(where-available)-

--Date-the-waste-is subject-to-the-prohibitions-

Generator-must develop-keep-on-site-and-follow-a written-waste analysis-plan describing

Agency-Delivery-must-be verified-

Minimum-of-30 days-prior to-treatment activity-

B--Waste-is-being accumulated-in tanks-or containers regulated-under-35 Ill.-Adm.-Code

C--Waste-is-subject-to-exemption from-a-prohibition on-the-type-of land-disposal utilized-for-the waste-such-as-a case-by-case extension-under Section-720-1057 an-exemption-under Section-720-1067 or-a-nationwide capacity-variance (see-Section 720-107(a)(3))-

Each-shipment

Receiving facility

E--Waste-is-subject-to-exemption from-a-prohibition on-the-type-of land-disposal utilized-for-the waste-such-as-a case-by-case extension-under Section-720-1057 an-exemption-under Section-720-1067 or-a-nationwide capacity-variance (see-Section 720-107(a)(3))-

Each-shipment

Waste-treatment facility

Notice-must include-

--Statement-that waste-is-not prohibited-from land-disposal-

--U-S--EPA-hazardous waste-number-

--Constituents-of concern-

--Treatability group-

--Manifest-number-

--Waste-analysis data-(where-available)-

--Date-the-waste-is subject-to-the-prohibitions-

Generator-must develop-keep-on-site-and-follow-a written-waste analysis-plan describing

Agency-Delivery-must-be verified-

Minimum-of-30 days-prior to-treatment activity-

B--Waste-is-being accumulated-in tanks-or containers regulated-under-35 Ill.-Adm.-Code

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

722-134-and-is being-treated-in such-tanks-or-containers-to-meet applicable-treatment-standards (see-Section 720-107-(a)(4))-

B--Generator-is managing-a-lab pack-containing certain-wastes-and wishes-to-use-an alternative-treatment-standard-(see Section-720-107(a)(8))-

F--Small-quantity generators-with tolling-agreements (pursuant-to-35 Ill.-Adm.-Code 722-120(e))-(see Section-720-107(a)(9))-

G--Generator-has determined-waste is-restricted based-solely-on his-knowledge-of

Each-shipment

Waste-treatment facility

Notice-in-accordance-with-Section 720-107(a)(1)- (a)(3)-and-(a)(6)-where-applicable-

Certification-in accordance-with Section-720-107(a)(8)-

Must-comply-with applicable-notification-and certification requirements-in Section 720-107(a)-

Generator-also-must retain-copy-of-the notification-and certification-together-with-tolling agreement-on-site for-at-least-3 years-after-termination-or-expiration-of-agreement-

All-supporting-data must-be-retained on-site-in-generator's-files-

Generator's file

N/A



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the waste-(see Section-720-107(a)(5)).	N/A	All-waste-analysis data-must-be-retained-on-site-in-generator's-files.	
H-Generator-has determined-waste is-restricted based-on-testing waste-or-an-extract-(see-Section 720-107(a)(5)).	Generator's file		
Generator-has determined-that waste-is-excluded from-the definition-of hazardous-or-solid waste-or-exempt from-RCRA-Subtitle E-(hazardous waste)-regulation (see-Section 720-107(a)(6)).	One-time	Notice-of generation-and-subsequent-exclusion from-the-definition of-hazardous-or solid-waste-or exemption-from-RCRA Subtitle E (hazardous-waste) regulation-and information regarding-the disposition-of-the waste.	
J-Generator-(or treater)-claims that-hazardous debris-is-excluded from-the definition-of hazardous-waste under-35-iii-Adm-Code-721-103(f)(1) (see-Section 720-107(d)).	Agency-Notification must-be-updated as-necessary under-Section 720-107(d)(2).	Notice-must include:  --Name-and-address of-RCRA-Subtitle-B (municipal-solid waste-landfill) facility-receiving treated-debris.  --U-S-EPA-hazardous waste-number-and description-of debris-as-initially generated.  --Technology-used-to treat-the-debris (table-1-of-Section 720-145).	

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K-Generator-(or treater)-claims that characteristic wastes-are-no longer-hazardous (see-Section 720-109(d)).	One-time	K-Generator-(or treater)-claims that characteristic wastes-are-no longer-hazardous (see-Section 720-109(d)).	Generator's-(or treater's) files-and Agency-Notification-must be-updated-as necessary-under Section 720-109(d).	Certification-and recordkeeping-in accordance-with Section-720-107(d)(3).
L-Generator-(or treater)-must file	N/A	L-Other recordkeeping requirements-(see Section-720-107(a)(7)).	Generator's file	Notice-must include:  --Name-and-address of-RCRA-Subtitle-B (municipal-solid waste-landfill) facility-receiving the-waste.  --U-S-EPA-hazardous waste-number-and description-of waste-as-initially generated.  --Treatability group.  --Underlying hazardous constituents.  Certification-in accordance-with Section-720-109(d)(2).
M-Generator-(or treater)-must retain-a-copy-of all-notices, certifications, demonstrations, waste-analysis data, and-other documentation produced-pursuant to-Section-720-107 on-site-for-at least-5-years-from the-date-that-the waste-was-first-sent				

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to-on-site-or-off-site-treatment storage-or disposal--this period-is automatically extended-during enforcement-actions or-as-requested-by the-Agency-

## II--Treatment-Facility

A--Waste-shipped from-treatment facility-to-land disposal-facility (see-Sections 728-187(b)(4)-and (b)(5))-

Notice-must include:

--U-S-EPA-hazardous waste-number-

--Constituents-of concern-

--Treatability group-

--Manifest-number-

--Waste-analysis data-(where available)-

Application certification-in accordance-with Section-728-187 (b)(5)(A)- (b)(5)(B)-or (b)(5)(C)-stating that-the-waste-or treatment-residue has-been-treated-in compliance-with applicable treatment-standards and-prohibitions-

Waste-treatment residue-from-a

Each-shipment

Receiving facility

Band-disposal facility

treatment-or storage-facility will-be-further managed-at-a different treatment-or storage-facility (see-Section 728-187(b)(6))-

G--Where-wastes are-recyclable materials-used-in a-manner constituting disposal-subject to-Section-726-120 (b)-(see-Section 728-187(b)(7))-

Each-shipment

Agency-

No-notification-to receiving-facility required-pursuant to-Section 728-187(b)(4)-

Certification-as described-in-Section-728-187(b)(5) and-notice-with information-listed in-Section-728-187 (b)(4)-except manifest-number-

Recycling-facility must-keep-records of-the-name-and location-of-each entity-receiving hazardous waste-derived products-

## III--Land-Disposal-Facility

A--Wastes-accepted by-land-disposal facility-(see Section-728-187 (c))-

III--Land-Disposal-Facility

N/A

N/A

Maintain-copies-of notice-and certifications specified-in Section-728-187(a) and-(b)-

## Certification-Statements

A- I-certify-under-penalty-of-law-that-I--personally--have--examined--and--am familiar--with--the--waste--through--analysis--and--testing--or--through--knowledge of-the-waste-to-support-this-certification-that-the--waste--complies--with

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## NOTICE OF ADOPTED AMENDMENTS

facility-must comply-with-all notice-and certification requirements applicable-to generators-

Agency-

No-notification-to receiving-facility required-pursuant to-Section 728-187(b)(4)-

Certification-as described-in-Section-728-187(b)(5) and-notice-with information-listed in-Section-728-187 (b)(4)-except manifest-number-

Recycling-facility must-keep-records of-the-name-and location-of-each entity-receiving hazardous waste-derived products-

## III--Land-Disposal-Facility

A--Wastes-accepted by-land-disposal facility-(see Section-728-187 (c))-

III--Land-Disposal-Facility

N/A

N/A

Maintain-copies-of notice-and certifications specified-in Section-728-187(a) and-(b)-

## Certification-Statements

A- I-certify-under-penalty-of-law-that-I--personally--have--examined--and--am familiar--with--the--waste--through--analysis--and--testing--or--through--knowledge of-the-waste-to-support-this-certification-that-the--waste--complies--with

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the treatment standards specified in 35-III-Adm-Code-720-Subpart-B and all applicable prohibitions set forth in 35-III-Adm-Code-720-132-0-RCRA section-3004(d). I believe that the information I submitted is true, accurate and complete. I am aware that there are significant penalties for submitting a false certification including the possibility of fine and imprisonment. (Section-720-107(a)(2)(B))

B- I certify under penalty of law that I personally have examined and am familiar with the waste and that the lab peck does not contain any wastes identified at Section-720-Appendix-D. I am aware that there are significant penalties for submitting a false certification including possibility of fine or imprisonment. (Section-720-107(a)(8))

C- I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that based on my inquiry of those individuals immediately responsible for obtaining this information I believe that the treatment process has been operated and maintained properly so as to comply with the performance levels specified in 35-III-Adm-Code-720-Subpart-D and all applicable prohibitions set forth in 35-III-Adm-Code-720-132-0-RCRA section-3004(d) without impermissible dilution of the prohibited waste. I am aware that there are significant penalties for submitting a false certification including the possibility of fine and imprisonment. (Section-720-107(b)(5)(A))

B- I certify under penalty of law that the waste has been treated in accordance with the requirements of 35-III-Adm-Code-720-142. I am aware that there are significant penalties for submitting a false certification including the possibility of fine and imprisonment. (Section-720-107(b)(5)(B))

B- I certify under penalty of law that I have personally examined and am familiar with the treatment technology and operation of the treatment process used to support this certification and that based on my inquiry of those individuals immediately responsible for obtaining this information I believe that the nonwastewater organic constituents have been treated by incineration in units operated in accordance with 35-III-Adm-Code-724-Subpart-0 or 35-III-Adm-Code-725-Subpart-0 or by combustion in fuel substitution units operating in accordance with applicable technical requirements and I have been able to detect the nonwastewater organic constituents despite having used best good faith efforts to analyze for such constituents. I am aware that there are significant penalties for submitting a false certification including the possibility of fine and imprisonment. (Section-720-107(b)(5)(C))

P- I certify under penalty of law that the waste has been treated in accordance with the requirements of 35-III-Adm-Code-720-140 to remove the hazardous characteristic. This decharacterized waste contains

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underlying hazardous constituents that require further treatment to meet universal treatment standards. I am aware that there are significant penalties for submitting a false certification including the possibility of fine and imprisonment. (Section-720-107(b)(5)(B))

G- I certify under penalty of law that the debris have been treated in accordance with the requirements of 35-III-Adm-Code-720-145. I am aware that there are significant penalties for making a false certification including the possibility of fine and imprisonment. (Section-720-107(d)(3)(E))

(Source: Repealed at 22 Ill. Reg. 17706, effective SEP 28 1998)



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## NOTICE OF ADOPTED AMENDMENTS

## Section 728. TABLE C Technology Codes and Description of Technology-Based Standards

## Technology

## code Description of technology-based standard

ADGAS Venting of compressed gases into an absorbing or reacting media (i.e., solid or liquid)--venting can be accomplished through physical release utilizing valves or piping; physical penetration of the container; or penetration through detonation.

AMEGM Amalgamation of liquid, elemental mercury contaminated with radioactive materials utilizing inorganic reagents such as copper, zinc, nickel, gold, and sulfur that result in a nonliquid, semi-solid amalgam and thereby reducing potential emissions of elemental mercury vapors to the air.

BIODG Biodegradation of organics or non-metallic inorganics (i.e., degradable inorganics that contain the elements of phosphorus, nitrogen, and sulfur) in units operated under either aerobic or anaerobic conditions such that a surrogate compound or indicator parameter has been substantially reduced in concentration in the residuals (e.g., total organic carbon (TOC) can often be used as an indicator parameter for the biodegradation of many organic constituents that cannot be directly analyzed in wastewater residues).

CARBN Carbon adsorption (granulated or powdered) or non-metallic inorganics, organo-metallics, or organic constituents, operated so that a surrogate compound or indicator parameter has not undergone breakthrough (e.g., total organic carbon (TOC) can often be used as an indicator parameter for the adsorption of many organic constituents that cannot be directly analyzed in wastewater residues). Breakthrough occurs when the carbon has become saturated with the constituent (or indicator parameter) and substantial change in adsorption rate associated with that constituent occurs.

CHOXD Chemical or electrolytic oxidation utilizing the following oxidation reagents (or waste reagents) or combinations of reagents:

- 1) hypochlorite (e.g., bleach);
- 2) chlorine;
- 3) chlorine dioxide;
- 4) ozone or UV (ultraviolet light) assisted ozone;
- 5) peroxides;
- 6) persulfates;
- 7) perchlorates;
- 8) permanganates; or

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- 9) other oxidizing reagents of equivalent efficiency, performed in units operated so that a surrogate compound or indicator parameter has been substantially reduced in concentration in the residuals (e.g., total organic carbon (TOC) can often be used as an indicator parameter for the oxidation of many organic constituents that cannot be directly analyzed in wastewater residues). Chemical oxidation specifically includes what is commonly referred to as alkaline chlorination.

CHRED Chemical reduction utilizing the following reducing reagents (or waste reagents) or combinations of reagents:

- 1) sulfur dioxide;
- 2) sodium, potassium, or alkali salts of sulfites, bisulfites, metabisulfites, and polyethylene glycols (e.g., NaPEG and KPEG);
- 3) sodium hydrosulfide;
- 4) ferrous salts; or
- 5) other reducing reagents of equivalent efficiency, performed in units operated such that a surrogate compound or indicator parameter has been substantially reduced in concentration in the residuals (e.g., total organic halogens (TOX) can often be used as an indicator parameter for the reduction of many halogenated organic constituents that cannot be directly analyzed in wastewater residues). Chemical reduction is commonly used for the reduction of hexavalent chromium to the trivalent state.

CMBST High temperature organic destruction technologies, such as combustion in incinerators, boilers, or industrial furnaces operated in accordance with the applicable requirements of 35 Ill. Adm. Code 724.Subpart O, 725.Subpart O, or 35 Ill. Adm. Code 726.Subpart H, and in other units operated in accordance with applicable technical operating requirements; and certain non-combustive technologies, such as the Catalytic Extraction Process.

DEACT Deactivation to remove the hazardous characteristics of a waste due to its ignitability, corrosivity, or reactivity.

FSUBS Fuel substitution in units operated in accordance with applicable technical operating requirements.

HLVIT Vittrification of high level mixed radioactive wastes in units in compliance with all applicable radioactive protection requirements under control of the federal Nuclear Regulatory Commission.

IMERC Incineration of wastes containing organics and mercury in units operated in accordance with the technical operating requirements of 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O. All wastewater and nonwastewater residues derived from this process must then comply with

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the corresponding treatment standards per waste code with consideration of any applicable subcategories (e.g., high or low mercury subcategories).

INCLIN Incineration in units operated in accordance with the technical operating requirements of 35 Ill. Adm. Code 724.Subpart O or 725.Subpart O.

LLEXT Liquid-liquid extraction (often referred to as solvent extraction) of organics from liquid wastes into an immiscible solvent for which the hazardous constituents have a greater solvent affinity, resulting in an extract high in organics that must undergo either incineration, reuse as a fuel, or other recovery or reuse and a raffinate (extracted liquid waste) proportionately low in organics that must undergo further treatment as specified in the standard.

MACRO Macroencapsulation with surface coating materials such as polymeric organics (e.g., resins and plastics) or with a jacket of inert inorganic materials to substantially reduce surface exposure to potential leaching media. Macroencapsulation specifically does not include any material that would be classified as a tank or container according to 35 Ill. Adm. Code 720.110.

NEUTR Neutralization with the following reagents (or waste reagents) or combinations of reagents:

- 1) acids;
- 2) bases; or
- 3) water (including wastewaters) resulting in a pH greater than 2 but less than 12.5 as measured in the aqueous residuals.

NLDBR No land disposal based on recycling.

POLYM Formation of complex high-molecular weight solids through polymerization of monomers in high-TOC D001 nonwastewaters that are chemical components in the manufacture of plastics.

PRECP Chemical precipitation of metals and other inorganics as insoluble precipitates of oxides, hydroxides, carbonates, sulfides, sulfates, chlorides, fluorides, or phosphates. The following reagents (or waste reagents) are typically used alone or in combination:

- 1) lime (i.e., containing oxides or hydroxides of calcium or magnesium);
- 2) caustic (i.e., sodium or potassium hydroxides);
- 3) soda ash (i.e., sodium carbonate);
- 4) sodium sulfide;
- 5) ferric sulfate or ferric chloride;

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- 6) alum; or
- 7) sodium sulfate. Additional flocculating, coagulation, or similar reagents or processes that enhance sludge dewatering characteristics are not precluded from use.

RBERY Thermal recovery of beryllium.

RCGAS Recovery or reuse of compressed gases including techniques such as reprocessing of the gases for reuse or resale; filtering or adsorption of impurities; remixing for direct reuse or resale; and use of the gas as a fuel source.

RCORR Recovery of acids or bases utilizing one or more of the following recovery techniques:

- 1) distillation (i.e., thermal concentration);
- 2) ion exchange;
- 3) resin or solid adsorption;
- 4) reverse osmosis; or
- 5) incineration for the recovery of acid--

Note: this does not preclude the use of other physical phase separation or concentration techniques such as decantation, filtration (including ultrafiltration), and centrifugation, when used in conjunction with the above listed recovery technologies.

RLEAD Thermal recovery of lead in secondary lead smelters.

RMERC Retorting or roasting in a thermal processing unit capable of volatilizing mercury and subsequently condensing the volatilized mercury for recovery. The retorting or roasting unit (or facility) must be subject to one or more of the following:

- a) A national emissions standard for hazardous air pollutants (NESHAP) for mercury (40 CFR 61, Subpart E);
- b) A best available control technology (BACT) or a lowest achievable emission rate (LAER) standard for mercury imposed pursuant to a prevention of significant deterioration (PSD) permit (including 35 Ill. Adm. Code 201 through 203); or
- c) A state permit that establishes emission limitations (within meaning of Section 302 of the Clean Air Act) for mercury, including a permit issued pursuant to 35 Ill. Adm. Code 201. All wastewater and nonwastewater residues derived from this process must then comply with the corresponding treatment standards per waste code with consideration of any applicable subcategories (e.g., high or low mercury subcategories).

RMETL Recovery of metals or inorganics utilizing one or more of the following direct physical or removal technologies:

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- 1) ion exchange;
- 2) resin or solid (i.e., zeolites) adsorption;
- 3) reverse osmosis;
- 4) chelation or solvent extraction;
- 5) freeze crystallization;
- 6) ultrafiltration; or
- 7) simple precipitation (i.e., crystallization)

Note: This does not preclude the use of other physical phase separation or concentration techniques such as decantation, filtration (including ultrafiltration), and centrifugation, when used in conjunction with the above listed recovery technologies.

RORG Recovery of organics utilizing one or more of the following technologies:

- 1) Distillation;
- 2) thin film evaporation;
- 3) steam stripping;
- 4) carbon adsorption;
- 5) critical fluid extraction;
- 6) liquid-liquid extraction;
- 7) precipitation or crystallization (including freeze crystallization); or
- 8) chemical phase separation techniques (i.e., addition of acids, bases, demulsifiers, or similar chemicals).

Note: This does not preclude the use of other physical phase separation techniques such as decantation, filtration (including ultrafiltration), and centrifugation, when used in conjunction with the above listed recovery technologies.

RTHRM Thermal recovery of metals or inorganics from nonwastewaters in units defined as cement kilns, blast furnaces, smelting, melting and refining furnaces, combustion devices used to recover sulfur values from spent sulfuric acid and "other devices" determined by the Agency pursuant to 35 Ill. Adm. Code 720.110, the definition of "industrial furnace".

RZINC Remelting in high temperature metal recovery units for the purpose of recovery of zinc.

STABL Stabilization with the following reagents (or waste reagents) or combinations of reagents:

- 1) Portland cement; or
- 2) lime or pozzolans (e.g., fly ash and cement kiln dust)--this does not preclude the addition of reagents (e.g., iron salts, silicates, and clays) designed to enhance the set or cure time or compressive

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strength, or to overall reduce the leachability of the metal or inorganic.

SSTRP Stream stripping of organics from liquid wastes utilizing direct application of steam to the wastes operated such that liquid and vapor flow rates, as well as, temperature and pressure ranges have been optimized, monitored, and maintained. These operating parameters are dependent upon the design parameters of the unit such as, the number of separation stages and the internal column design. Thus, resulting in a condensed extract high in organics that must undergo either incineration, reuse as a fuel, or other recovery or reuse and an extracted wastewater that must undergo further treatment as specified in the standard.

WETOX Wet air oxidation performed in units operated such that a surrogate compound or indicator parameter has been substantially reduced in concentration in the residuals (e.g., total organic carbon (TOC) can often be used as an indicator parameter for the oxidation of many organic constituents that cannot be directly analyzed in wastewater residues).

WTRRX Controlled reaction with water for highly reactive inorganic or organic chemicals with precautionary controls for protection of workers from potential violent reactions as well as precautionary controls for potential emissions of toxic or ignitable levels of gases released during the reaction.

Note 1: When a combination of these technologies (i.e., a treatment train) is specified as a single treatment standard, the order of application is specified in Section 728. Table T by indicating the five letter technology code that must be applied first, then the designation "fb." (an abbreviation for "followed by"), then the five letter technology code for the technology that must be applied next, and so on.

Note 2: When more than one technology (or treatment train) are specified as alternative treatment standards, the five letter technology codes (or the treatment trains) are separated by a semicolon (;) with the last technology preceded by the word "OR". This indicates that any one of these BDAT technologies or treatment trains can be used for compliance with the standard.

BOARD NOTE: Derived from 40 CFR 268.42, Table 1 (1997).

(Source: Amended at 22 Ill. Reg. **17706**, effective SEP 28 1998)



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Section 728. TABLE H Wastes Excluded from CCW Treatment Standards

The following facilities are excluded from the treatment standard under Section 728.143(a) and Table B, and are subject to the following constituent concentrations. These facilities have received a treatability exception by regulatory action from USEPA pursuant to 40 CFR 268.44 (1991), and have demonstrated that the Board needs to adopt the treatability exception as part of the Illinois RCRA program. The Board may also grant an "adjusted treatment standard" pursuant to Section 728.144.

Facility Name and address	Waste Code	See Also	Regulated hazardous constituent	Wastewater Concentration (mg/L)	Notes	Nonwastewater concentration (mg/L)	Notes
Craftsman Plating and Tinning Corp., Chicago, IL	F006	Sec- tion 728.250 Table A	Cyanides (Total)	1.2	B	1800	D
			Cyanides (amenable)	0.86	B and C		D
			Cadmium	1.6			NA
			Chromium	0.32			NA
			Lead	0.40			NA
			Nickel	0.44			NA
Northwestern Plating Works, Inc., Chicago, IL	F006	Sec- tion 728.140 Table A	Cyanides (Total)	1.2	B	970	D
			Cyanides (amenable)	0.86	B and C		D
			Cadmium	1.6			NA
			Chromium	0.32			NA
			Lead	0.40			NA
			Nickel	0.44			NA

Notes:

- A An owner or operator may certify compliance with these treatment standards according to the provisions of Section 728.107.
- B Cyanide wastewater standards for F006 are based on analysis of composite samples.

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- C These owners and operators shall comply with 0.86 mg/L for amenable cyanides in the wastewater exiting the alkaline chlorination system. These owners and operators shall also comply with Section 728.107(a)(4) for appropriate monitoring frequency consistent with the facilities' waste analysis plan.
- D Cyanide nonwastewaters are analyzed using SW-846 Method 9010 or 9012, sample size 10 g, distillation time one hour and fifteen minutes. SW-846 is incorporated by reference in 35 Ill. Reg. 720.111.

NA Not applicable.

BOARD NOTE: Derived from table to 40 CFR 268.44(o) (1997).

(Source: Amended at 22 Ill. Reg. 17706 effective SEP 28 1998)

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Section 728. TABLE I Generator Paperwork Requirements

Subsection of Section 728.107 under which the Paperwork Is Required:

(a)(2) (a)(3) (a)(4) (a)(9)

Required information

1. USEPA hazardous waste and manifest numbers

X

X

X

2. Statement: this waste is not prohibited from land disposal

X

X

3. The waste is subject to the LDRs. The constituents of concern for F001 through F005 and F039, and underlying hazardous constituents (for wastes that are not managed in a Clean Water Act (CWA) or CWA-equivalent facility), unless the waste will be treated and monitored for all constituents. If all constituents will be treated and monitored, there is no need to put them all on the LDR notice

X

X

4. The notice must include the applicable wastewater/nonwastewater category (see Section 728.102(d) and (f)) and subdivisions made within a waste code based on waste-specific criteria (such as D003 reactive cyanide)

X

X

5. Waste analysis data (when available)

X

X

6. Date the waste is subject to the prohibition

X

X

7. For hazardous debris, when treating with the alternative treatment technologies provided by Section 728.145: the contaminants subject to treatment, as described in Section 728.145(b); and an indication that these contaminants are being treated to comply with Section 728.145

X

X

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8. A certification is needed (see applicable subsection for exact wording)

X

X

BOARD NOTE: Derived from Table 1 to 40 CFR 268.7(a)(4) (1997).

(Source: Added at 22 Ill. Reg. **SEP 28 1998**)

**17706**

effective

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## Section 728. TABLE T Treatment Standards for Hazardous Wastes

Note: The treatment standards that heretofore appeared in tables in Sections 728.141, 728.142, and 728.143 have been consolidated into this table.

Waste Code	Waste Description and Treatment or Regulatory Subcategory (1)	Regulated Hazardous Constituent	Wastewaters	Nonwastewaters
Common Name	CAS(2) Number	Concentration in mg/l(3); or Technology Code(4)	Concentration in mg/kg(5) unless noted as "mg/l TCLP"; or Technology Code(4)	

D001(9)

Ignitable Characteristic Wastes, except for the 35 Ill. Adm. Code 721.121(a)(1) High TOC Subcategory.

NA	NA	DEACT and meet Section 728.148 standards;(8) or RORGS; or CMBST	DEACT and meet Section 728.148 standards;(8) or RORGS; or CMBST	
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D001(9)

High TOC Ignitable Characteristic Liquids Subcategory based on 35 Ill. Adm. Code 721.121(a)(1) - Greater than or equal to 10 percent total organic carbon. (Note: This subcategory consists of nonwastewaters only.)

NA	NA	RORGS; or CMBST; or POLYM		
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D002(9)

Corrosive Characteristic Wastes.

NA	NA	DEACT and meet Section 728.148 standards(8)	DEACT and meet Section 728.148 standards(8)	
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D002, D004, D005, D006, D007, D008, D009, D010, D011

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Radioactive high level wastes generated during the reprocessing of fuel rods. (Note: This subcategory consists of nonwastewaters only.)

Corrosivity (pH)	NA	NA	HLVIT
Arsenic	7440-38-2	NA	HLVIT
Barium	7440-39-3	NA	HLVIT
Cadmium	7440-43-9	NA	HLVIT
Chromium (Total)	7440-47-3	NA	HLVIT
Lead	7439-92-1	NA	HLVIT
Mercury	7439-97-6	NA	HLVIT
Selenium	7782-49-2	NA	HLVIT
Silver	7440-22-4	NA	HLVIT

D003(9)

Reactive Sulfides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).

NA	NA	DEACT	DEACT
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D003(9)

Explosive subcategory based on 35 Ill. Adm. Code 721.123(a)(6), (a)(7), and (a)(8).

NA	NA	DEACT and meet Section 728.148 standards(8)	DEACT and meet Section 728.148 standards(8)
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D003(9)

Unexploded ordnance and other explosive devices that have been the subject of an emergency response.

NA	NA	DEACT	DEACT
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D003(9)

Other Reactives Subcategory based on 35 Ill. Adm. Code 721.123(a)(1).

NA	NA	DEACT and meet Section 728.148 standards(8)	DEACT and meet Section 728.148 standards(8)
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D003(9)

Water Reactive Subcategory based on 35 Ill. Adm. Code 721.123(a)(2), (a)(3), and (a)(4).

(Note: This subcategory consists of nonwastewaters only.)

NA	NA	NA	DEACT and meet Section 728.148
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## standards(8)

- D003(9)  
Reactive Cyanides Subcategory based on 35 Ill. Adm. Code 721.123(a)(5).
- Cyanides (Total)(7) 57-12-5 -- 590  
Cyanides (Amendable)(7) 57-12-5 0.86 30
- D004  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for arsenic based on the extraction procedure (EP) in SW-846 Method 1310.
- Arsenic 7440-38-2 5.0 5.0mg/l EP  
Arsenic; alternative(6) 7440-38-2 NA 5.0 mg/l TCLP  
standard  
for nonwastewaters  
only.
- D005  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for barium based on the extraction procedure (EP) in SW-846 Method 1310.
- Barium 7440-39-3 100 100 mg/l TCLP
- D006  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for cadmium based on the extraction procedure (EP) in SW-846 Method 1310.
- Cadmium 7440-43-9 1.0 1.0 mg/l TCLP
- D006  
Cadmium-Containing Batteries Subcategory  
(Note: This subcategory consists of nonwastewaters only.)
- Cadmium 7440-43-9 NA RTHRM
- D007  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for chromium based on the extraction procedure (EP) in SW-846 Method 1310.
- Chromium (Total) 7440-47-3 5.0 5.0 mg/l TCLP
- D008  
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for lead based on the extraction procedure (EP) in SW-846 Method 1310.
- Lead 7439-92-1 5.0 5.0 mg/l EP  
Lead; alternative(6) 7439-92-1 NA 5.0 mg/l TCLP

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standard for  
nonwastewaters only

- D008  
Lead Acid Batteries Subcategory  
(Note: This standard only applies to lead acid batteries that are identified as RCRA hazardous wastes and that are not excluded elsewhere from regulation under the land disposal restrictions of this Part or exempted under other regulations (see 35 Ill. Adm. Code 726.180). This subcategory consists of nonwastewaters only.)
- Lead 7439-92-1 NA RLEAD
- D008  
Radioactive Lead Solids Subcategory  
(Note: These lead solids include, but are not limited to, all forms of lead shielding and other elemental forms of lead. These lead solids do not include treatment residuals such as hydroxide sludges, other wastewater treatment residuals, or incinerator ashes that can undergo conventional pozzolanic stabilization, nor do they include organo-lead materials that can be incinerated and stabilized as ash. This subcategory consists of nonwastewaters only.)
- Lead 7439-92-1 NA MACRO
- D009  
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain greater than or equal to 260 mg/kg total mercury that also contain organics and are not incinerator residues. (High Mercury-Organic Subcategory)
- Mercury 7439-97-6 NA IMERC; or RMERC
- D009  
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain greater than or equal to 260 mg/kg total mercury that are inorganic, including incinerator residues and residues from RMERC. (High Mercury-Inorganic Subcategory)
- Mercury 7439-97-6 NA RMERC
- D009  
Nonwastewaters that exhibit, or are expected to exhibit, the characteristic of toxicity for mercury based on the extraction procedure (EP) in SW-846 Method 1310; and contain less than 260 mg/kg total mercury. (Low Mercury Subcategory)

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Mercury	7439-97-6	NA	0.20 mg/l TCLP	alpha-BHC	319-84-6	CARBEN; or CMBST	0.066 and meet Section 728.148 standards(8)
All D009 wastewaters.							
Mercury	7439-97-6	0.20	NA	beta-BHC	319-85-7	CARBEN; or CMBST	0.066 and meet Section 728.148 standards(8)
D009							
Elemental mercury contaminated with radioactive materials. (Note: This subcategory consists of nonwastewaters only.)							
Mercury	7439-97-6	NA	AMLGM	delta-BHC	319-86-8	CARBEN; or CMBST	0.066 and meet Section 728.148 standards(8)
D009							
Hydraulic oil contaminated with Mercury Radioactive Materials Subcategory. (Note: This subcategory consists of nonwastewaters only.)							
Mercury	7439-97-6	NA	IMERC	gamma-BHC (Lindane)	58-89-9	CARBEN; or CMBST	0.066 and meet Section 728.148 standards(8)
D010							
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for selenium based on the extraction procedure (EP) in SW-846 Method 1310.							
Selenium	7782-49-2	1.0	5.7 mg/l TCLP	D014(9) Wastes that are TC for Methoxychlor based on the TCLP in SW-846 Method 1311.	72-43-5	WETOX or CMBST	0.18 and meet Section 728.148 standards(8)
D011							
Wastes that exhibit, or are expected to exhibit, the characteristic of toxicity for silver based on the extraction procedure (EP) in SW-846 Method 1310.							
Silver	7440-22-4	5.0	5.0 mg/l TCLP	D015(9) Wastes that are TC for Toxaphene based on the TCLP in SW-846 Method 1311.			
D012(9)							
Wastes that are TC for Endrin based on the TCLP in SW-846 Method 1311.							
Endrin	72-20-8	BIODG; or CMBST	0.13 and meet Section 728.148 standards(8)	Toxaphene	8001-35-2	BIODG or CMBST	2.6 and meet Section 728.148 standards(8)
Endrin aldehyde	7421-93-4	BIODG; or CMBST	0.13 and meet Section 728.148 standards(8)	D016(9) Wastes that are TC for 2,4-D (2,4-Dichlorophenoxyacetic acid) based on the TCLP in SW-846 Method 1311.			
D013(9)							
Wastes that are TC for Lindane based on the TCLP in SW-846 Method 1311.							
				2,4-D (2,4-Dichloro- phenoxyacetic acid)	94-75-7	CHOXD; BIODG; or CMBST	10 and meet Section 728.148 standards(8)

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D017(9)  
Wastes that are TC for 2,4,5-TP (Silvex) based on the TCLP in SW-846 Method 1311.

2,4,5-TP (Silvex)	93-72-1	CHOXD or CMBST	7.9 and meet Section 728.148 standards(8)
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D018(9)  
Wastes that are TC for Benzene based on the TCLP in SW-846 Method 1311.

Benzene	71-43-2	0.14 and meet Section 728.148 standards(8)	10 and meet Section 728.148 standards(8)
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D019(9)  
Wastes that are TC for Carbon tetrachloride based on the TCLP in SW-846 Method 1311.

Carbon tetrachloride	56-23-5	0.057 and meet Section 728.148 standards(8)	6.0 and meet Section 728.148 standards(8)
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D020(9)  
Wastes that are TC for Chlordane based on the TCLP in SW-846 Method 1311.

Chlordane (alpha and gamma isomers)	57-74-9	0.0033 and meet Section 728.148 standards(8)	0.26 and meet Section 728.148 standards(8)
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D021(9)  
Wastes that are TC for Chlorobenzene based on the TCLP in SW-846 Method 1311.

Chlorobenzene	108-90-7	0.057 and meet Section 728.148 standards(8)	6.0 and meet Section 728.148 standards(8)
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D022(9)

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Wastes that are TC for Chloroform based on the TCLP in SW-846 Method 1311.

Chloroform	67-66-3	0.046 and meet Section 728.148 standards(8)	6.0 and meet Section 728.148 standards(8)
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D023(9)

Wastes that are TC for o-Cresol based on the TCLP in SW-846 Method 1311.

o-Cresol	95-48-7	0.11 and meet Section 728.148 standards(8)	5.6 and meet Section 728.148 standards(8)
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D024(9)

Wastes that are TC for m-Cresol based on the TCLP in SW-846 Method 1311.

m-Cresol (difficult to distinguish from p- cresol)	108-39-4	0.77 and meet Section 728.148 standards(8)	5.6 and meet Section 728.148 standards(8)
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D025(9)

Wastes that are TC for p-Cresol based on the TCLP in SW-846 Method 1311.

p-Cresol (difficult to distinguish from m- cresol)	106-44-5	0.77 and meet Section 728.148 standards(8)	5.6 and meet Section 728.148 standards(8)
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D026(9)

Wastes that are TC for Cresols (Total) based on the TCLP in SW-846 Method 1311.

Cresol-mixed isomers (Cresylic acid) (sum of o-, m-, and p- cresol concentrations)	1319-77-3	0.88 and meet Section 728.148 standards(8)	11.2 and meet Section 728.148 standards(8)
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D027(9)

Wastes that are TC for p-Dichlorobenzene based on the TCLP in SW-846 Method 1311.

p-Dichlorobenzene (1,4-	106-46-7	0.090	6.0
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Dichlorobenzene) and meet Section 728.148 standards(8)

D028(9) Wastes that are TC for 1,2-Dichloroethane based on the TCLP in SW-846 Method 1311.

1,2-Dichloroethane 107-06-2 0.21 and meet Section 728.148 standards(8)

D029(9) Wastes that are TC for 1,1-Dichloroethylene based on the TCLP in SW-846 Method 1311.

1,1-Dichloroethylene 75-35-4 0.025 and meet Section 728.148 standards(8)

D030(9) Wastes that are TC for 2,4-Dinitrotoluene based on the TCLP in SW-846 Method 1311.

2,4-Dinitrotoluene 121-14-2 0.32 and meet Section 728.148 standards(8)

D031(9) Wastes that are TC for Heptachlor based on the TCLP in SW-846 Method 1311.

Heptachlor 76-44-8 0.0012 and meet Section 728.148 standards(8)

Heptachlor epoxide 1024-57-3 0.016 and meet Section 728.148 standards(8)

D032(9)

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Wastes that are TC for Hexachlorobenzene based on the TCLP in SW-846 Method 1311.

Hexachlorobenzene 118-74-1 0.055 and meet Section 728.148 standards(8)

D033(9) Wastes that are TC for Hexachlorobutadiene based on the TCLP in SW-846 Method 1311.

Hexachlorobutadiene 87-68-3 0.055 and meet Section 728.148 standards(8)

D034(9) Wastes that are TC for Hexachloroethane based on the TCLP in SW-846 Method 1311.

Hexachloroethane 67-72-1 0.055 and meet Section 728.148 standards(8)

D035(9) Wastes that are TC for Methyl ethyl ketone based on the TCLP in SW-846 Method 1311.

Methyl ethyl ketone 78-93-3 0.28 and meet Section 728.148 standards(8)

D036(9) Wastes that are TC for Nitrobenzene based on the TCLP in SW-846 Method 1311.

Nitrobenzene 98-95-3 0.068 and meet Section 728.148 standards(8)

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D037(9)  
Wastes that are TC for Pentachlorophenol based on the TCLP in SW-846 Method 1311.

Pentachlorophenol	87-86-5	0.089 and meet Section 728.148 standards(8)	7.4 and meet Section 728.148 standards(8)
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D038(9)  
Wastes that are TC for Pyridine based on the TCLP in SW-846 Method 1311.

Pyridine	110-86-1	0.014 and meet Section 728.148 standards(8)	16 and meet Section 728.148 standards(8)
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D039(9)  
Wastes that are TC for Tetrachloroethylene based on the TCLP in SW-846 Method 1311.

Tetrachloroethylene	127-18-4	0.056 and meet Section 728.148 standards(8)	6.0 and meet Section 728.148 standards(8)
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D040(9)  
Wastes that are TC for Trichloroethylene based on the TCLP in SW-846 Method 1311.

Trichloroethylene	79-01-6	0.054 and meet Section 728.148 standards(8)	6.0 and meet Section 728.148 standards(8)
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D041(9)  
Wastes that are TC for 2,4,5-Trichlorophenol based on the TCLP in SW-846 Method 1311.

2,4,5-Trichlorophenol	95-95-4	0.18 and meet Section 728.148 standards(8)	7.4 and meet Section 728.148 standards(8)
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D042(9)  
Wastes that are TC for 2,4,6-Trichlorophenol based on the TCLP in SW-846 Method 1311.

2,4,6-Trichlorophenol	88-06-2	0.035 and meet Section 728.148 standards(8)	7.4 and meet Section 728.148 standards(8)
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D043(9)  
Wastes that are TC for Vinyl chloride based on the TCLP in SW-846 Method 1311.

Vinyl chloride	75-01-4	0.27 and meet Section 728.148 standards(8)	6.0 and meet Section 728.148 standards(8)
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F001, F002, F003, F004, & F005  
F001, F002, F003, F004, or F005 solvent wastes that contain any combination of one or more of the following spent solvents: acetone, benzene, n-butyl alcohol, carbon disulfide, carbon tetrachloride, chlorinated fluorocarbons, chlorobenzene, o-cresol, m-cresol, p-cresol, cyclohexanone, o-dichlorobenzene, 2-ethoxyethanol, ethyl acetate, ethyl benzene, ethyl ether, isobutyl alcohol, methanol, methylene chloride, methyl ethyl ketone, methyl isobutyl ketone, nitrobenzene, 2-nitropropane, pyridine, tetrachloroethylene, toluene, 1,1,1-trichloroethane, 1,1,2-trichloroethane, 1,1,2-trichloro-1,2,2-trifluoroethane, trichloroethylene, trichloromonofluoromethane, or xylenes (except as specifically noted in other subcategories). See further details of these listings in 35 Ill. Adm. Code 721.131

Acetone	67-64-1	0.28	160
Benzene	71-43-2	0.14	10
n-Butyl alcohol	71-36-3	5.6	2.6
Carbon disulfide	75-15-0	3.8	NA
Carbon tetrachloride	56-23-5	0.057	6.0
Chlorobenzene	108-90-7	0.057	6.0
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Cresol-mixed isomers	1319-77-3	0.88	11.2

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(Cresylic acid) (sum of o-, m-, and p- cresol concentrations)				
Cyclohexanone	108-94-1	0.36	NA	
o-Dichlorobenzene	95-50-1	0.088	6.0	
Ethyl acetate	141-78-6	0.34	33	
Ethyl benzene	100-41-4	0.057	10	
Ethyl ether	60-29-7	0.12	160	
Isobutyl alcohol	78-83-1	5.6	170	
Methanol	67-56-1	5.6	NA	
Methylene chloride	75-9-2	0.089	30	
Methyl ethyl ketone	78-93-3	0.28	36	
Methyl isobutyl ketone	108-10-1	0.14	33	
Nitrobenzene	98-95-3	0.068	14	
Pyridine	110-86-1	0.014	16	
Tetrachloroethylene	127-18-4	0.056	6.0	
Toluene	108-88-3	0.080	10	
1,1,1-Trichloroethane	71-55-6	0.054	6.0	
1,1,2-Trichloroethane	79-00-5	0.054	6.0	
1,1,2-Trichloro-1,2,2- trifluoroethane	76-13-1	0.057	30	
Trichloroethylene	79-01-6	0.054	6.0	
Trichloromonofluoro- methane	75-69-4	0.020	30	
Xylenes-mixed isomers (sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30	
F001, F002, F003, F004 & F005				
F003 and F005 solvent wastes that contain any combination of one or more of the following three solvents as the only listed F001 through F005 solvents: carbon disulfide, cyclohexanone, or methanol. (Formerly Section 728.141(c))				
Carbon disulfide	75-15-0	3.8	4.8 mg/l TCCLP	
Cyclohexanone	108-94-1	0.36	0.75 mg/l TCCLP	
Methanol	67-56-1	5.6	0.75 mg/l TCCLP	
F001, F002, F003, F004 & F005				
F005 solvent waste containing 2-Nitropropane as the only listed F001 through F005 solvent.				
2-Nitropropane	79-46-9	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
F001, F002, F003, F004 & F005				

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F005 solvent waste containing 2-Ethoxyethanol as the only listed F001 through F005 solvent.				
2-Ethoxyethanol	110-80-5	BIODG; or CMBST	CMBST	
F006				
Wastewater treatment sludges from electroplating operations except from the following processes: (1) Sulfuric acid anodizing of aluminum; (2) tin plating on carbon steel; (3) zinc plating (segrated basis) on carbon steel; (4) aluminum or zinc-aluminum plating on carbon steel; (5) cleaning or stripping associated with tin, zinc, and aluminum plating on carbon steel; and (6) chemical etching and milling of aluminum.				
Cadmium	7440-43-9	0.69	0.19 mg/l TCCLP	
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCCLP	
Cyanides (Total)(7)	57-12-5	1.2	590	
Cyanides (Amenable)(7)	57-12-5	0.86	30	
Lead	7439-92-1	0.69	0.37 mg/l TCCLP	
Nickel	7440-02-0	3.98	5.0 mg/l TCCLP	
Silver	7440-22-4	NA	0.30 mg/l TCCLP	
F007				
Spent cyanide plating bath solutions from electroplating operations.				
Cadmium	7440-43-9	NA	0.19 mg/l TCCLP	
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCCLP	
Cyanides (Total)(7)	57-12-5	1.2	590	
Cyanides (Amenable)(7)	57-12-5	0.86	30	
Lead	7439-92-1	0.69	0.37 mg/l TCCLP	
Nickel	7440-02-0	3.98	5.0 mg/l TCCLP	
Silver	7440-22-4	NA	0.30 mg/l TCCLP	
F008				
Plating bath residues from the bottom of plating baths from electroplating operations where cyanides are used in the process.				
Cadmium	7440-43-9	NA	0.19 mg/l TCCLP	
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCCLP	
Cyanides (Total)(7)	57-12-5	1.2	590	
Cyanides (Amenable)(7)	57-12-5	0.86	30	
Lead	7439-92-1	0.69	0.37 mg/l TCCLP	
Nickel	7440-02-0	3.98	5.0 mg/l TCCLP	
Silver	7440-22-4	NA	0.30 mg/l TCCLP	
F009				
Spent stripping and cleaning bath solutions from electroplating operations where cyanides are used in the process.				



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Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

## F010

Quenching bath residues from oil baths from metal heat treating operations where cyanides are used in the process.

Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	NA

## F011

Spent cyanide solutions from salt bath pot cleaning from metal heat treating operations.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

## F012

Quenching wastewater treatment sludges from metal heat treating operations where cyanides are used in the process.

Cadmium	7440-43-9	NA	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Silver	7440-22-4	NA	0.30 mg/l TCLP

## F019

Wastewater treatment sludges from the chemical conversion coating of aluminum except from zirconium phosphating in aluminum can washing when such phosphating is an exclusive conversion coating process.

Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	30

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F020, F021, F022, F023, F026

Wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenol, or of intermediates used to produce their pesticide derivatives, excluding wastes from the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (i.e., F020); (2) pentachlorophenol, or of intermediates used to produce its derivatives (i.e., F021); (3) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F022) and wastes (except wastewater and spent carbon from hydrogen chloride purification) from the production of materials on equipment previously used for the production or manufacturing use (as a reactant, chemical intermediate, or component in a formulating process) of: (1) tri- or tetrachlorophenols, excluding wastes from equipment used only for the production of Hexachlorophene from highly purified 2,4,5-trichlorophenol (F023) or (2) tetra-, penta-, or hexachlorobenzenes under alkaline conditions (i.e., F026).

HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Penta-chloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachlorophenol	87-86-5	0.089	7.4
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4

## F024

Process wastes, including but not limited to, distillation residues, heavy ends, tars, and reactor clean-out wastes, from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. (This listing does not include wastewaters, wastewater treatment sludges, spent catalysts, and wastes listed in 35 Ill. Adm. Code 721.131 or 721.132.)

All F024 wastes	NA	CMBSST(11)	CMBSST(11)
2-Chloro-1,3-butadiene	126-99-8	0.057	0.28

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3-Chloropropylene	107-05-1	0.036	30
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloro-propylene	10061-01-5	0.036	18
trans-1,3-Dichloro-propylene	10061-02-6	0.036	18
bis(2-Ethylhexyl)-phthalate	117-81-7	0.28	28
Hexachloroethane	67-72-1	0.055	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

F025 Condensed light ends from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one up to and including five, with varying amounts and positions of chlorine substitution. F025--Light Ends Subcategory.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

F025 Spent filters and filter aids, and spent desiccant wastes from the production of certain chlorinated aliphatic hydrocarbons by free radical catalyzed processes. These chlorinated aliphatic hydrocarbons are those having carbon chain lengths ranging from one to and including five, with varying amounts and positions of chlorine substitution. F025--Spent Filters/Aids and Desiccants Subcategory.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Methylene chloride	75-9-2	0.089	30
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Vinyl chloride	75-01-4	0.27	6.0

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F027 Discarded unused formulations containing tri-, tetra-, or pentachlorophenol or discarded unused formulations containing compounds derived from these chlorophenols. (This listing does not include formulations containing hexachlorophene synthesized from prepurified 2,4,5-trichlorophenol as the sole component.)			
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachlorophenol	87-86-5	0.089	7.4
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
F028 Residues resulting from the incineration or thermal treatment of soil contaminated with USEPA hazardous waste numbers F020, F021, F023, F026, and F027.			
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachlorophenol	87-86-5	0.089	7.4
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4

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## F032

Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative dripbage, and spent formulations from wood preserving processes generated at plants that currently use or have previously used chlorophenolic formulations (except potentially cross-contaminated wastes that have had the F032 waste code deleted in accordance with 35 Ill. Adm. Code 721.135 or potentially cross-contaminated wastes that are otherwise currently regulated as hazardous wastes (i.e., F034 or F035), where the generator does not resume or initiate use of chlorophenolic formulations). This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote and/or penta-chlorophenol.

Acenaphthene	83-32-9	0.059	3.4
Anthracene	120-12-7	0.059	3.4
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
anthene			
(difficult to distinguish from benzo(k)-fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
anthene			
(difficult to distinguish from benzo(b)-fluoranthene)			
Benzo(a)pyrene			
Irene	50-32-8	0.061	3.4
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)-anthracene	53-70-3	0.055	8.2
2-4-Dimethylphenol	105-67-9	0.036	1.4
Fluorene	86-73-7	0.059	3.4
Hexachlorodibenzop-dioxins	NA	0.000063 or CMBST(11)	0.001 or CMBST(11)
Hexachlorodibenzofurans	NA	0.000063 or CMBST(11)	0.001 or CMBST(11)
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Naphthalene	91-20-3	0.059	5.6
Pentachlorodibenzop-	NA	0.000063 or	0.001 or

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dioxins		CMBST(11)	CMBST(11)
Pentachlorodibenzofurans	NA	0.000035 or CMBST(11)	0.001 or CMBST(11)
Pentachlorophenol	87-86-5	0.089	7.4
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Tetrachlorodibenzop-dioxins	NA	0.000063 or CMBST(11)	0.001 or CMBST(11)
Tetrachlorodibenzofurans	NA	0.000063 or CMBST(11)	0.001 or CMBST(11)
2,3,4,6-Tetrachlorophenol	58-90-2	0.030	7.4
2,4,6-Tri-chlorophenol	88-06-2	0.035	7.4
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP

## F034

Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative dripbage, and spent formulations from wood preserving processes generated at plants that use creosote formulations. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.

Acenaphthene	83-32-9	0.059	3.4
Anthracene	120-12-7	0.059	3.4
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
anthene			
(difficult to distinguish from benzo(k)-fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
anthene			
(difficult to distinguish from benzo(b)-fluoranthene)			
Benzo(a)-pyrene	50-32-8	0.061	3.4



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Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

F038  
Petroleum refinery secondary (emulsified) oil/water/solids separation sludge or float generated from the physical or chemical separation of oil/water/solids in process wastewaters and oily cooling wastewaters from petroleum refineries. Such wastes include, but are not limited to, all sludges and floats generated in: induced air floatation (IAF) units, tanks and impoundments, and all sludges generated in DAF units. Sludges generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges and floats generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges and floats generated in one or more additional units after wastewaters have been treated in aggressive biological units) and F037, K048, and K051 are not included in this listing.

Benzene	71-43-2	0.14	10
Benz(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA

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Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)- anthracene	53-70-3	0.055	8.2
Fluorene	86-73-7	0.059	3.4
Indeno (1,2,3- c,d) pyrene	193-39-5	0.0055	3.4
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP

F035  
Wastewaters (except those that have not come into contact with process contaminants), process residuals, preservative drippage, and spent formulations from wood preserving processes that are generated at plants that use inorganic preservatives containing arsenic or chromium. This listing does not include K001 bottom sediment sludge from the treatment of wastewater from wood preserving processes that use creosote or pentachlorophenol.

Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP

F037  
Petroleum refinery primary oil/water/solids separation sludge--Any sludge generated from the gravitational separation of oil/water/solids during the storage or treatment of process wastewaters and oily cooling wastewaters from petroleum refineries. Such sludges include, but are not limited to, those generated in: oil/water/solids separators; tanks and impoundments; ditches and other conveyances; sumps; and stormwater units receiving dry weather flow. Sludge generated in stormwater units that do not receive dry weather flow, sludges generated from non-contact once-through cooling waters segregated for treatment from other process or oily cooling waters, sludges generated in aggressive biological treatment units as defined in 35 Ill. Adm. Code 721.131(b)(2) (including sludges generated in one or more additional units after wastewaters have been treated in aggressive biological treatment units) and K051 wastes are not included in this listing.

Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benz(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28

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Nickel	7440-02-0	NA	5.0 mg/l TCLP
F039			
Leachate (liquids that have percolated through land disposed wastes) resulting from the disposal of more than one restricted waste classified as hazardous under Subpart D of this Part. (Leachate resulting from the disposal of one or more of the following USEPA hazardous wastes and no other hazardous wastes retains its USEPA hazardous waste numbers: F020, F021, F022, F026, F027, or F028.).			
Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	1.60
Acetonitrile	75-05-8	5.6	NA
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	1.40
Acrolein	107-02-8	0.29	NA
Acrylonitrile	107-13-1	0.24	84
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
delta-BHC	319-86-8	0.023	0.066
gamma-BHC	58-89-9	0.0017	0.066
Benzene	71-43-2	0.14	10
Bena(a)anthracene	56-55-3	0.059	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
(difficult to distinguish from benzo-(k)fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
(difficult to distinguish from benzo-(b)fluoranthene)			
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Benzo(a)pyrene	50-32-8	0.061	3.4
Bromodichloromethane	75-27-4	0.35	15
Methyl bromide (Bromo-methane)	74-83-9	0.11	15
4-Bromophenyl phenyl ether	101-55-3	0.055	15
n-Butyl alcohol	71-36-3	5.6	2.6
Butyl benzyl phthalate	85-68-7	0.017	28
2-sec-Butyl-4,6-dinitrophenol (Dinoseb)	88-85-7	0.066	2.5
Carbon disulfide	75-15-0	3.8	NA

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Carbon tetrachloride	56-23-5	0.057	6.0
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
p-Chloroaniline	106-47-8	0.46	16
Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzilate	510-15-6	0.10	NA
2-Chloro-1,3-butadiene	126-99-8	0.057	NA
Chlorodibromomethane	124-48-1	0.057	15
Chloroethane	75-00-3	0.27	6.0
bis(2-Chloroethoxy)-methane	111-91-1	0.036	7.2
bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
Chloroform	67-66-3	0.046	6.0
bis(2-Chloroisopropyl)-ether	39638-32-9	0.055	7.2
p-Chloro-m-cresol	59-50-7	0.018	14
Chloromethane (Methyl chloride)	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6
3-Chlorophenol	95-57-8	0.044	5.7
3-Chloropropylene	107-05-1	0.036	30
Chrysene	218-01-9	0.059	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
Cyclohexanone	108-94-1	0.36	NA
1,2-Dibromo-3-chloropropane	96-12-8	0.11	15
Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
Dibromomethane	74-95-3	0.11	15
2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10
o,p'-DDD	53-19-0	0.023	0.087
p,p'-DDD	72-54-8	0.023	0.087
o,p'-DDE	3424-82-6	0.031	0.087
p,p'-DDE	72-55-9	0.031	0.087
o,p'-DDT	789-02-6	0.0039	0.087
p,p'-DDT	50-29-3	0.0039	0.087
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Dibenz(a,e)pyrene	192-65-4	0.061	NA
m-Dichlorobenzene	541-73-1	0.036	6.0

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o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Dichlorodifluoromethane	75-71-8	0.23	7.2
1,1-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
1,1-Dichloroethylene	75-35-4	0.025	6.0
trans-1,2-Dichloroethylene	156-60-5	0.054	30
2,4-Dichlorophenol	120-83-2	0.044	14
2,6-Dichlorophenol	87-65-0	0.044	14
1,2-Dichloropropane	78-87-5	0.85	18
cis-1,3-Dichloropropylene	10061-01-5	0.036	18
trans-1,3-Dichloropropylene	10061-02-6	0.036	18
Dieldrin	60-57-1	0.017	0.13
Diethyl phthalate	84-66-2	0.20	28
2,4-Dimethyl phenol	105-67-9	0.036	14
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
1,4-Dinitrobenzene	100-25-4	0.32	2.3
4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	12.0	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	NA
Diphenylnitrosamine	86-30-6	0.92	NA
(difficult to distinguish from diphenylamine)			
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Endosulfan I	939-98-8	0.023	0.066
Endosulfan II	33213-6-5	0.029	0.13
Endosulfan sulfate	1031-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
Ethyl acetate	141-78-6	0.34	33
Ethyl cyanide (Propane-nitrile)	107-12-0	0.24	360
Ethyl benzene	100-41-4	0.057	10
Ethyl ether	60-29-7	0.12	160
bis(2-Ethylhexyl)	117-81-7	0.28	28

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Phthalate	97-63-2	0.14	160
Ethyl methacrylate	75-21-8	0.12	NA
Ethylene oxide	52-85-7	0.017	15
Famphur	206-44-0	0.068	3.4
Fluoranthene	86-73-7	0.059	3.4
Fluorene	76-44-8	0.0012	0.066
Heptachlor	1024-57-3	0.016	0.066
Heptachlor epoxide	118-74-1	0.055	10
Hexachlorobenzene	87-68-3	0.055	5.6
Hexachlorobutadiene	77-47-4	0.057	2.4
Hexachlorocyclopentadiene			
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d)	193-39-5	0.0055	3.4
pyrene			
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170
Isodrin	465-73-6	0.021	0.066
Isosafrole	120-58-1	0.081	2.6
Kepone	143-50-8	0.0011	0.13
Methacrylonitrile	126-98-7	0.24	84
Methanol	67-56-1	5.6	NA
Methapyrilene	91-80-5	0.081	1.5
Methoxychlor	72-43-5	0.25	0.18
3-Methylcholanthrene	56-49-5	0.0055	15
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methyl methacrylate	80-62-6	0.14	160
Methyl methansulfonate	66-27-3	0.018	NA
Methyl parathion	298-00-0	0.014	4.6
Naphthalene	91-20-3	0.059	5.6
2-Naphthylamine	91-59-8	0.52	NA
p-Nitroaniline	100-01-6	0.028	28
Nitrobenzene	98-95-3	0.068	14
5-Nitro-o-toluidine	99-55-8	0.32	28
p-Nitrophenol	100-02-7	0.12	29
N-Nitrosodiethylamine	55-18-5	0.40	28
N-Nitrosodiethylamine	62-75-9	0.40	NA
N-Nitroso-di-n-butylamine	924-16-3	0.40	17



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N-Nitrosomethylethyl-amine	10595-95-6	0.40	2.3
N-Nitrosomorpholine	59-89-2	0.40	2.3
N-Nitrosopiperidine	100-75-4	0.013	35
N-Nitrosopyrrolidine	930-55-2	0.013	35
Parathion	56-38-2	0.014	4.6
Total PCBs	1336-36-3	0.10	10
(sum of all PCB isomers, or all Aroclors)			
Pentachlorobenzene	608-93-5	0.055	10
PCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PCDFs (All Penta-chlorodibenzofurans)	NA	0.000035	0.001
Pentachloronitrobenzene	82-68-8	0.055	4.8
Pentachlorophenol	87-86-5	0.089	7.4
Phenacetin	62-44-2	0.081	16
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Phorate	298-02-2	0.021	4.6
Phthalic anhydride	85-44-9	0.055	NA
Pronamide	23950-58-5	0.093	1.5
Pyrene	129-00-0	0.067	8.2
Pyridine	110-86-1	0.014	16
Safrole	94-59-7	0.081	22
Silvex (2,4,5-TP)	93-72-1	0.72	7.9
2,4,5-T	93-76-5	0.72	7.9
1,2,4,5-Tetrachloro-benzene	95-94-3	0.055	14
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001
1,1,1,2-Tetrachloro-ethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloro-ethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachloro-phenol	58-90-2	0.030	7.4
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Bromoform (Tribromo-methane)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

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Trichloromonofluoro-methane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30
tris(2,3-Dibromopropyl) phosphate	126-72-7	0.11	NA
Vinyl chloride	75-01-4	0.27	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Antimony	7440-36-0	1.9	2.1 mg/l TCLP
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Barium	7440-39-3	1.2	7.6 mg/l TCLP
Beryllium	7440-41-7	0.82	NA
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Cyanides (Amenable)(7)	57-12-5	0.86	NA
Fluoride	16964-48-8	35	NA
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	0.15	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
Silver	7440-22-4	0.43	0.30 mg/l TCLP
Sulfide	8496-25-8	14	NA
Thallium	7440-28-0	1.4	NA
Vanadium	7440-62-2	4.3	NA
K001			
Bottom sediment sludge from the treatment of wastewaters from wood preserving processes that use creosote or pentachlorophenol.			
Naphthalene	91-20-3	0.059	5.6
Pentachlorophenol	87-86-5	0.089	7.4
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K002			
Wastewater treatment sludge from the production of chrome yellow and orange pigments.			

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Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K003			
Wastewater treatment sludge from the production of molybdate orange pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K004			
Wastewater treatment sludge from the production of zinc yellow pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K005			
Wastewater treatment sludge from the production of chrome green pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
K006			
Wastewater treatment sludge from the production of chrome oxide green pigments (anhydrous).			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K006			
Wastewater treatment sludge from the production of chrome oxide green pigments (hydrated).			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
K007			
Wastewater treatment sludge from the production of iron blue pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
K008			
Oven residue from the production of chrome oxide green pigments.			
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K009			
Distillation bottoms from the production of acetaldehyde from ethylene.			
Chloroform	67-66-3	0.046	6.0
K010			
Distillation side cuts from the production of acetaldehyde from ethylene.			

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Chloroform	67-66-3	0.046	6.0
K011			
Bottom stream from the wastewater stripper in the production of acrylonitrile.			
Acetonitrile	75-05-8	5.6	38
Acrylonitrile	107-13-1	0.24	84
Acrylamide	79-06-1	19	23
Benzene	71-43-2	0.14	10
Cyanide (Total)	57-12-5	1.2	590
K013			
Bottom stream from the acetonitrile column in the production of acrylonitrile.			
Acetonitrile	75-05-8	5.6	38
Acrylonitrile	107-13-1	0.24	84
Acrylamide	79-06-1	19	23
Benzene	71-43-2	0.14	10
Cyanide (Total)	57-12-5	1.2	590
K014			
Bottoms from the acetonitrile purification column in the production of acrylonitrile.			
Acetonitrile	75-05-8	5.6	38
Acrylonitrile	107-13-1	0.24	84
Acrylamide	79-06-1	19	23
Benzene	71-43-2	0.14	10
Cyanide (Total)	57-12-5	1.2	590
K015			
Still bottoms from the distillation of benzyl chloride.			
Anthracene	120-12-7	0.059	3.4
Benzal chloride	98-87-3	0.055	6.0
Benzo(b)fluoranthene	205-99-2	0.11	6.8
(difficult to distinguish from benzo-(k)fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
(difficult to distinguish from benzo-(b)fluoranthene)			
Phenanthrene	85-01-8	0.059	5.6
Toluene	108-88-3	0.080	10
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
K016			
Heavy ends or distillation residues from the production of carbon tetrachloride.			
Hexachlorobenzene	118-74-1	0.055	10

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Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachlorocyclopentadiene	77-47-4	0.057	2.4
Hexachloroethane	67-72-1	0.055	30
Tetrachloroethylene	127-18-4	0.056	6.0

K017  
Heavy ends (still bottoms) from the purification column in the production of epichlorohydrin.

bis(2-Chloroethyl)ether	111-44-4	0.033	6.0
1,2-Dichloropropane	78-87-5	0.85	18
1,2,3-Trichloropropane	96-18-4	0.85	30

K018  
Heavy ends from the fractionation column in ethyl chloride production.

Chloroethane	75-00-3	0.27	6.0
Chloromethane	74-87-3	0.19	NA
1,1,-Dichloroethane	75-34-3	0.059	6.0
1,2-Dichloroethane	107-06-2	0.21	6.0
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	NA	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0

K019

Heavy ends from the distillation of ethylene dichloride in ethylene dichloride production.

bis(2-Chloroethyl) ether	111-44-4	0.033	6.0
Chlorobenzene	108-90-7	0.057	6.0
Chloroform	67-66-3	0.046	6.0
p-Dichlorobenzene	106-46-7	0.090	NA
1,2-Dichloroethane	107-06-2	0.21	6.0
Fluorene	86-73-7	0.059	NA
Hexachloroethane	67-72-1	0.055	30
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	NA
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0

K020

Heavy ends from the distillation of vinyl chloride in vinyl chloride monomer production.

1,2-Dichloroethane	107-06-2	0.21	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

ethane			
Tetrachloroethylene	127-18-4	0.056	6.0

K021  
Aqueous spent antimony catalyst waste from fluoromethanes production.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Antimony	7440-36-0	1.9	2.1 mg/l TCLP

K022  
Distillation bottom tars form the production of phenol or acetone from cumene.

Toluene	108-88-3	0.080	10
Acetophenone	96-86-2	0.010	9.7
Diphenylamine	122-39-4	0.92	13
(difficult to distinguish from diphenylnitrosamine)			
Diphenylnitrosamine	86-30-6	0.92	13
(difficult to distinguish from diphenylamine)			
Phenol	108-95-2	0.039	6.2
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP

K023

Distillation light ends from the production of phthalic anhydride from naphthalene.

Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	85-44-9	0.055	28

K024

Distillation bottoms from the production of phthalic anhydride from naphthalene.

Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	85-44-9	0.055	28



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K025	Distillation bottoms from the production of nitrobenzene by the nitration of benzene.	NA	LLEXT fb SSTRP fb CARBN; or CMBST	CMBST	
K026	Stripping still tails from the production of methyl ethyl pyridines.	NA	CMBST	CMBST	
K027	Centrifuge and distillation residues from the toluene diisocyanate production.	NA	CARBN; or CMBST	CMBST	
K028	Spent catalyst from the hydrochlorinator reactor in the production of 1,1,1-trichloroethane.	75-34-3 1,1-Dichloroethane trans-1,2-Dichloro- ethylene 87-68-3 Hexachlorobutadiene 67-72-1 Hexachloroethane 76-01-7 1,1,1,2-Tetrachloro- ethane 1,1,2,2-Tetrachloro- ethane	0.059 0.054 0.055 0.055 NA 0.057 0.057	6.0 30 5.6 30 6.0 6.0 6.0	
	Tetrachloroethylene	127-18-4	0.056	6.0	
	1,1,1-Trichloroethane	71-55-6	0.054	6.0	
	1,1,2-Trichloroethane	79-00-5	0.054	6.0	
	Cadmium	7440-43-9	0.69	NA	
	Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP	
	Lead	7439-92-1	0.69	0.37 mg/l TCLP	
	Nickel	7440-02-0	3.98	5.0 mg/l TCLP	
K029	Waste from the product steam stripper in the production of 1,1,1-trichloroethane.	67-66-3 Chloroform 1,2-Dichloroethane 107-06-2 1,1-Dichloroethylene 75-35-4 1,1,1-Trichloroethane 71-55-6 Vinyl chloride 75-01-4	0.046 0.21 0.025 0.054 0.27	6.0 6.0 6.0 6.0 6.0	
K030	Column bodies or heavy ends from the combined production of trichloroethylene				

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

	and perchloroethylene.	95-50-1	0.088	NA	
	o-Dichlorobenzene	106-46-7	0.090	NA	
	p-Dichlorobenzene	87-68-3	0.055	5.6	
	Hexachlorobutadiene	67-72-1	0.055	30	
	Hexachloroethane	1888-71-7	NA	30	
	Hexachloropropylene	608-93-5	NA	10	
	Pentachlorobenzene	76-01-7	NA	6.0	
	1,2,4,5-Tetrachloro- benzene	95-94-3	0.055	14	
	Tetrachloroethylene	127-18-4	0.056	6.0	
	1,2,4-Trichlorobenzene	120-82-1	0.055	19	
K031	By-product salts generated in the production of MSMA and cacodylic acid.	7440-38-2	1.4	5.0 mg/l TCLP	
	Arsenic				
K032	Wastewater treatment sludge from the production of chlordane.	77-47-4	0.057	2.4	
	Hexachlorocyclopenta- diene				
	Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26	
	Heptachlor	76-44-8	0.0012	0.066	
	Heptachlor epoxide	1024-57-3	0.016	0.066	
K033	Wastewater and scrub water from the chlorination of cyclopentadiene in the production of chlordane.	77-47-4	0.057	2.4	
	Hexachlorocyclopenta- diene				
K034	Filter solids from the filtration of hexachlorocyclopentadiene in the production of chlordane.	77-47-4	0.057	2.4	
	Hexachlorocyclopenta- diene				
K035	Wastewater treatment sludges generated in the production of creosote.	83-32-9	NA	3.4	
	Acenaphthene	120-12-7	NA	3.4	
	Anthracene	56-55-3	0.059	3.4	
	Benzo(a)anthracene	50-32-8	0.061	3.4	
	Benzo(a)pyrene	218-01-9	0.059	3.4	
	Chrysene	95-48-7	0.11	5.6	
	o-Cresol	108-39-4	0.77	5.6	
	m-Cresol				
	(difficult to				



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.61	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	218-01-9	0.059	3.4
Di-n-butyl phthalate	84-74-2	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP
K049			
Slop oil emulsion solids from the petroleum refining industry.			
Anthracene	120-12-7	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Carbon disulfide	75-15-0	3.8	NA
Chrysene	2218-01-9	0.059	3.4
2,4-Dimethylphenol	105-67-9	0.036	NA
Ethylbenzene	100-41-4	0.057	10
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Cyanides (Total)(7)	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP
K050			
Heat exchanger bundle cleaning sludge from the petroleum refining industry.			
Benzo(a)pyrene	50-32-8	0.061	3.4

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP
K051			
API separator sludge from the petroleum refining industry.			
Acenaphthene	83-32-9	0.059	NA
Anthracene	120-12-7	0.059	3.4
Benzo(a)anthracene	56-55-3	0.059	3.4
Benzene	71-43-2	0.14	10
Benzo(a)pyrene	50-32-8	0.061	3.4
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Chrysene	2218-01-9	0.059	3.4
Di-n-butyl phthalate	105-67-9	0.057	28
Ethylbenzene	100-41-4	0.057	10
Fluorene	86-73-7	0.059	NA
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyrene	129-00-0	0.067	8.2
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Cyanides (Total)(7)	57-12-5	1.2	590
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP
K052			
Tank bottoms (lead) from the petroleum refining industry.			
Benzene	71-43-2	0.14	10
Benzo (a)pyrene	50-32-8	0.061	3.4
o-Cresol	95-48-7	0.11	5.6
m-Cresol	108-39-4	0.77	5.6
(difficult to distinguish from p-cresol)			
p-Cresol	106-44-5	0.77	5.6
(difficult to distinguish from m-cresol)			
2,4-Dimethylphenol	105-67-9	0.036	NA
Ethylbenzene	100-41-4	0.057	10
Naphthalene	91-20-3	0.059	5.6



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
Toluene	108-88-3	0.08	10
Xylene-mixed isomers (sum of o-, m-, and p- xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	NA
Nickel	7440-02-0	NA	5.0 mg/l TCLP

## K060

Ammonia still lime sludge from coking operations.

Benzene	71-43-2	0.14	10
Benzo(a) pyrene	50-32-8	0.061	3.4
Naphthalene	91-20-3	0.059	5.6
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590

## K061

Emission control dust or sludge from the primary production of steel in electric furnaces.

Antimony	7440-36-0	NA	2.1 mg/l TCLP
Arsenic	7440-38-2	NA	5.0 mg/l TCLP
Barium	7440-39-3	NA	7.6 mg/l TCLP
Beryllium	7440-41-7	NA	0.014 mg/l TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	NA	0.025 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	NA	0.16 mg/l TCLP
Silver	7740-22-4	NA	0.30 mg/l TCLP
Thallium	7440-28-0	NA	0.078 mg/l TCLP
Zinc	7440-66-6	NA	5.3 mg/l TCLP

## K062

Spent pickle liquor generated by steel finishing operations of facilities within the iron and steel industry (SIC Codes 331 and 332).

Chromium (Total)	7740-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	NA

## K069

Emission control dust or sludge from secondary lead smelting. - Calcium sulfate (Low Lead) Subcategory

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K069	Emission control dust or sludge from secondary lead smelting. - Non-Calcium sulfate (High Lead) Subcategory	NA	NA	RLEAD
K071	(Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is not used) nonwastewaters that are residues from RMERC.	7439-97-6	NA	0.20 mg/l TCLP
K071	(Brine purification muds from the mercury cell process in chlorine production, where separately prepurified brine is to used) nonwastewaters that are not residues from RMERC.	7439-97-6	NA	0.025 mg/l TCLP

## K071

All K071 wastewaters.

Mercury	7439-97-6	0.015	NA
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## K073

Chlorinated hydrocarbon waste from the purification step of the diaphragm cell process using graphite anodes in chlorine production.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachloroethane	67-72-1	0.055	30
Tetrachloroethylene	127-18-4	0.056	6.0
1,1,1-Trichloroethane	71-55-6	0.054	6.0

## K083

Distillation bottoms from aniline production.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
Cyclohexanone	108-94-1	0.36	NA
Diphenylamine	122-39-4	0.92	13

(difficult to distinguish from

diphenylnitrosamine)

(difficult to distinguish from

diphenylamine)

Nitrobenzene

Phenol

Nickel

0.92

0.068

0.039

3.98

14

6.2

5.0 mg/l TCLP

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K084			
Wastewater treatment sludges generated during the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.			
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
K085			
Distillation or fractionation column bottoms from the production of chlorobenzenes.			
Benzene	71-43-2	0.14	10
Chlorobenzene	108-90-7	0.057	6.0
m-Dichlorobenzene	541-73-1	0.036	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Total PCBs	1336-36-3	0.10	10
(sum of all PCB isomers, or all Aroclors)			
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachlorobenzene	95-94-3	0.055	14
1,2,4-Trichlorobenzene	120-82-1	0.055	19
K086			
Solvent wastes and sludges, caustic washes and sludges, or water washes and sludges from cleaning tubs and equipment used in the formulation of ink from pigments, driers, soaps, and stabilizers containing chromium and lead.			
Acetone	67-64-1	0.28	160
Acetophenone	96-86-2	0.010	9.7
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
n-Butyl alcohol	71-36-3	5.6	2.6
Butylbenzyl phthalate	85-68-7	0.017	28
Cyclohexanone	108-94-1	0.36	NA
o-Dichlorobenzene	95-50-1	0.088	6.0
Diethyl phthalate	84-66-2	0.20	28
Dimethyl phthalate	131-11-3	0.047	28
Di-n-butyl phthalate	84-74-2	0.057	28
Di-n-octyl phthalate	117-84-0	0.017	28
Ethyl acetate	141-78-6	0.34	33
Ethylbenzene	100-41-4	0.057	10
Methanol	67-56-1	5.6	NA
Methyl ethyl ketone	78-93-3	0.28	36
Methyl isobutyl ketone	108-10-1	0.14	33
Methylene chloride	75-09-2	0.089	30
Naphthalene	91-20-3	0.059	5.6
Nitrobenzene	98-95-3	0.068	14
Toluene	108-88-3	0.080	10
1,1,1-Trichloroethane	71-55-6	0.054	6.0

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Trichloroethylene	79-01-6	0.054	6.0
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Cyanides (Total)(7)	57-12-5	1.2	590
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K087			
Decanter tank tar sludge from coking operations.			
Acenaphthylene	208-96-8	0.059	3.4
Benzene	71-43-2	0.14	10
Chrysene	218-01-9	0.059	3.4
Fluoranthene	206-44-0	0.068	3.4
Indenol(1,2,3-cd)pyrene	193-39-5	0.0055	3.4
Naphthalene	91-20-3	0.059	5.6
Phenanthrene	85-01-8	0.059	5.6
Toluene	108-88-3	0.080	10
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30
Lead	7439-92-1	0.069	0.37 mg/l TCLP
K088			
Spent potliners from primary aluminum reduction.			
Acenaphthene	83-32-9	0.059	3.4
Anthracene	120-12-7	0.059	3.4
Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
Benzo(k)fluoranthene	207-08-9	0.11	6.8
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Fluoranthene	206-44-0	0.068	3.4
Indeno(1,2,3-c,d)pyrene	193-39-5	0.0055	3.4
Phenanthrene	85-01-8	0.059	5.6
Pyrene	129-00-0	0.067	8.2
Antimony	7440-36-0	1.9	2.1 mg/l TCLP
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Barium	7440-39-3	1.2	7.6 mg/l TCLP
Beryllium	7440-41-7	0.82	0.014 mg/l TCLP
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Mercury	7439-97-6	0.15	0.025 mg/l TCLP

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	0.82	0.16 mg/l TCLP
Silver	7440-22-4	0.43	0.30 mg/l TCLP
Cyanide (Total)(7)	57-12-5	1.2	590
Cyanide (Amenable)(7)	57-12-5	0.86	30
Fluoride	16984-48-8	35	48 mg/l TCLP

K093 Distillation light ends from the production of phthalic anhydride from ortho-xylene.

Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	85-44-9	0.055	28

K094

Distillation bottoms from the production of phthalic anhydride from ortho-xylene.

Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0	0.055	28
Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	85-44-9	0.055	28

K095

Distillation bottoms from the production of 1,1,1-trichloroethane.

Hexachloroethane	67-72-1	0.055	30
Pentachloroethane	76-01-7	0.055	6.0
1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Heavy ends from the heavy ends column from the production of 1,1,1-trichloroethane.	541-73-1	0.036	6.0
m-Dichlorobenzene	76-01-7	0.055	6.0
Pentachloroethane			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloroethane	79-34-6	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0

K097 Vacuum stripper discharge from the chlordane chlorinator in the production of chlordane.

Chlordane alpha and gamma isomers	57-74-9	0.0033	0.26
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorocyclopentadiene	77-47-4	0.057	2.4

K098

Untreated process wastewater from the production of toxaphene.

Toxaphene	8001-35-2	0.0095	2.6
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K099

Untreated wastewater from the production of 2,4-D.

2,4-Dichlorophenoxyacetic acid	94-75-7	0.72	10
HxCDDs (All Hexachlorodibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachlorodibenzofurans)	NA	0.000063	0.001
PeCDDs (All Pentachlorodibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachlorodibenzofurans)	NA	0.000035	0.001
TCDDs (All Tetrachlorodibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachlorodibenzofurans)	NA	0.000063	0.001

K100

Waste leaching solution from acid leaching of emission control dust or sludge from secondary lead smelting.

Cadmium	7440-43-9	0.69	0.19 mg/l TCLP
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP
Lead	7439-92-1	0.69	0.37 mg/l TCLP
K101			



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Distillation tar residues from the distillation of aniline-based compounds in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

o-Nitroaniline	88-74-4	0.27	14
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.69	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

K102 Residue from the use of activated carbon for decolorization in the production of veterinary pharmaceuticals from arsenic or organo-arsenic compounds.

o-Nitrophenol	88-75-5	0.028	13
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
Cadmium	7440-43-9	0.69	NA
Lead	7439-92-1	0.69	NA
Mercury	7439-97-6	0.15	NA

K103 Process residues from aniline extraction from the production of aniline.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2

K104 Combined wastewater streams generated from nitrobenzene or aniline production.

Aniline	62-53-3	0.81	14
Benzene	71-43-2	0.14	10
2,4-Dinitrophenol	51-28-5	0.12	160
Nitrobenzene	98-95-3	0.068	14
Phenol	108-95-2	0.039	6.2
Cyanides (Total)(7)	57-12-5	1.2	590

K105 Separated aqueous stream from the reactor product washing step in the production of chlorobenzenes.

Benzene	71-43-2	0.14	10
Chlorobenzene	108-90-7	0.057	6.0
2-Chlorophenol	95-57-8	0.044	5.7
o-Dichlorobenzene	95-50-1	0.088	6.0
p-Dichlorobenzene	106-46-7	0.090	6.0
Phenol	108-95-2	0.039	6.2
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4

K106

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K106 (wastewater treatment sludge from the mercury cell process in chlorine production) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury.

Mercury	7439-97-6	NA	RMERC
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K106 (wastewater treatment sludge from the mercury cell process in chlorine production) nonwastewaters that contain less than 260 mg/kg total mercury that are residues from RMERC.

Mercury	7439-97-6	NA	0.20 mg/l TCLP
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K106 Other K106 nonwastewaters that contain less than 260 mg/kg total mercury and are not residues from RMERC.

Mercury	7439-97-6	NA	0.025 mg/l TCLP
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K106

All K106 wastewaters.

Mercury	7439-97-6	0.15	NA
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K107 Column bottoms from product separation from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	CMBST;	CMBST
		or CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	

K108

Condensed column overheads from product separation and condensed reactor vent gases from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	CMBST;	CMBST
		or CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	

K109

Spent filter cartridges from product purification from the production of 1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides.

NA	NA	CMBST;	CMBST
		or CHOXD fb	
		CARBN; or	
		BIODG fb CARBN	

K110

Condensed column overheads from intermediate separation from the production of

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

1,1-dimethylhydrazine (UDMH) from carboxylic acid hydrazides. CMBST  
 NA  
 or CHOXD fb  
 CARN; or  
 BIODG fb CARN

K111  
 Product washwaters from the production of dinitrotoluene via nitration of  
 toluene.  
 2,4-Dinitrotoluene 121-1-1 0.32 140  
 2,6-Dinitrotoluene 606-20-2 0.55 28

K112  
 Reaction by-product water from the drying column in the production of  
 toluenediamine via hydrogenation of dinitrotoluene. CMBST  
 NA  
 CMBST;  
 or CHOXD fb  
 CARN; or  
 BIODG fb CARN

K113  
 Condensed liquid light ends from the purification of toluenediamine in the  
 production of toluenediamine via hydrogenation of dinitrotoluene. CMBST  
 NA  
 NA  
 CARN; or  
 CMBST

K114  
 Vicinals from the purification of toluenediamine in the production of  
 toluenediamine via hydrogenation of dinitrotoluene. CMBST  
 NA  
 NA  
 CARN; or  
 CMBST

K115  
 Heavy ends from the purification of toluenediamine in the production of  
 toluenediamine via hydrogenation of dinitrotoluene.  
 Nickel 7440-02-0 3.98 5.0 mg/l TCLP  
 NA CARN; or CMBST  
 CMBST

K116  
 Organic condensate from the solvent recovery column in the production of  
 toluene diisocyanate via phosgenation of toluenediamine. CMBST  
 NA  
 NA  
 CARN; or  
 CMBST

K117  
 Wastewater from the reactor vent gas scrubber in the production of ethylene  
 dibromide via bromination of ethene.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Methyl bromide (Bromo- 74-83-9 0.11 15  
 methane)  
 Chloroform 67-66-3 0.046 6.0  
 Ethylene- 106-93-4 0.028 15  
 dibromide (1,2-  
 Dibromoethane

K118  
 Spent absorbent solids from purification of ethylene dibromide in the  
 production of ethylene dibromide via bromination of ethene. 15  
 Methyl bromide (Bromo- 74-83-9 0.11  
 methane)  
 Chloroform 67-66-3 0.046 6.0  
 Ethylene dibromide 106-93-4 0.028 15  
 (1,2-Dibromoethane)

K123  
 Process wastewater (including supernates, filtrates, and washwaters) from the  
 production of ethylenebisdithiocarbamic acid and its salts. CMBST  
 NA  
 NA  
 CMBST;  
 or CHOXD fb  
 (BIODG or  
 CARN)

K124  
 Reactor vent scrubber water from the production of ethylenebisdithiocarbamic  
 acid and its salts. NA  
 NA  
 NA  
 CMBST;  
 or CHOXD fb  
 (BIODG or  
 CARN)

K125  
 Filtration, evaporation, and centrifugation solids from the production of  
 ethylenebisdithiocarbamic acid and its salts. CMBST  
 NA  
 NA  
 CMBST;  
 or CHOXD fb  
 (BIODG or  
 CARN)

K126  
 Baghouse dust and floor sweeping in milling and packaging operations from the  
 production or formulation of ethylenebisdithiocarbamic acid and its salts. CMBST  
 NA  
 NA  
 CMBST;  
 or CHOXD fb  
 (BIODG or  
 CARN)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

K131 Wastewater from the reactor and spent sulfuric acid from the acid dryer from the production of methyl bromide.  
Methyl bromide (Bromo- 74-83-9 0.11 15 methane)

K132 Spent absorbent and wastewater separator solids from the production of methyl bromide.  
Methyl bromide (Bromo- 74-83-9 0.11 15 methane)

K136 Still bottoms from the purification of ethylene dibromide in the production of ethylene dibromide via bromination of ethene.  
Methyl bromide (Bromo- 74-83-9 0.11 15 methane)

Chloroform 67-66-3 0.046 6.0  
Ethylene dibromide 106-93-4 0.028 15  
(1,2-Dibromoethane)

K141 Process residues from the recovery of coal tar, including, but not limited to, collecting sump residues from the production of coke or the recovery of coke by-products produced from coal. This listing does not include K087 (decanter tank tar sludge from coking operations).  
Benzene 71-43-2 0.14 10  
Benz(a)anthracene 56-55-3 0.059 3.4  
Benzo(a)pyrene 50-2-8 0.061 3.4  
Benzo(b)fluoranthene 205-99-2 0.11 6.8  
(difficult to distinguish from benzo-(k)fluoranthene)

Benzo(k)fluoranthene 207-08-9 0.11 6.8  
(difficult to distinguish from benzo-(b)fluoranthene)

Chrysene 218-01-9 0.059 3.4  
Diben (a,h)anthracene 53-70-3 0.055 8.2  
Indeno(1,2,3-cd)pyrene 193-39-5 0.0055 3.4

K142 Tar storage tank residues from the production of coke from coal or from the recovery of coke by-products produced from coal.  
Benzene 71-43-2 0.14 10  
Benzo(a)anthracene 56-55-3 0.059 3.4  
Benzo(a)pyrene 50-2-8 0.061 3.4  
Benzo(b)fluoranthene 205-99-2 0.11 6.8

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

(difficult to distinguish from benzo-(k)fluoranthene) 207-08-9 0.11 6.8  
(difficult to distinguish from benzo-(b)fluoranthene)

Chrysene 218-01-9 0.059 3.4  
Dibenz(a,h)anthracene 53-70-3 0.055 8.2  
Ideno(1,2,3-cd)pyrene 193-39-5 0.0055 3.4

## K143

Process residues from the recovery of light oil, including, but not limited to, those generated in stills, decanters, and wash oil recovery units from the recovery of coke by-products produced from coal.

Benzene 71-43-2 0.14 10  
Benz(a)anthracene 56-55-3 0.059 3.4  
Benzo(a)pyrene 50-32-8 0.061 3.4  
Benzo(b)fluoranthene 205-99-2 0.11 6.8  
(difficult to distinguish from benzo-(k)fluoranthene)

Benzo(k)fluoranthene 207-08-9 0.11 6.8  
(difficult to distinguish from benzo-(b)fluoranthene)  
Chrysene 218-01-9 0.059 3.4

## K144

Wastewater sump residues from light oil refining, including, but not limited to, intercepting or contamination sump sludges from the recovery of coke by-products produced from coal.

Benzene 71-43-2 0.14 10  
Benz(a)anthracene 56-55-3 0.059 3.4  
Benzo(a)pyrene 50-32-8 0.061 3.4  
Benzo(b)fluoranthene 205-99-2 0.11 6.8  
(difficult to distinguish from benzo-(k)fluoranthene)

Benzo(k)fluoranthene 207-08-9 0.11 6.8  
(difficult to distinguish from benzo-(b)fluoranthene)  
Chrysene 218-01-9 0.059 3.4  
Dibenz(a,h)anthracene 53-70-3 0.055 8.2

## K145

Residues from naphthalene collection and recovery operations from the recovery



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

of coke by-products produced from coal.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benz(a)pyrene	50-32-8	0.061	3.4
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Naphthalene	91-20-3	0.059	5.6

## K147

Tar storage tank residues from coal tar refining.

Benzene	71-43-2	0.14	10
Benz(a)anthracene	56-55-3	0.059	3.4
Benz(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
(difficult to distinguish from benzo-(k)fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
(difficult to distinguish from benzo-(b)fluoranthene)			
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4

## K148

Residues from coal tar distillation, including, but not limited to, still bottoms.

Benz(a)anthracene	56-55-3	0.059	3.4
Benzo(a)pyrene	50-32-8	0.061	3.4
Benzo(b)fluoranthene	205-99-2	0.11	6.8
(difficult to distinguish from benzo-(k)fluoranthene)			
Benzo(k)fluoranthene	207-08-9	0.11	6.8
(difficult to distinguish from benzo-(b)fluoranthene)			
Chrysene	218-01-9	0.059	3.4
Dibenz(a,h)anthracene	53-70-3	0.055	8.2
Indeno(1,2,3-cd)pyrene	193-39-5	0.0055	3.4

## K149

Distillation bottoms from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups. (This waste does not include still bottoms from the distillations of benzyl chloride.)

Chlorobenzene	108-90-7	0.057	6.0
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## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Chloroform	67-66-3	0.046	6.0
Chloromethane	74-87-3	0.19	30
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachloro-benzene	95-94-3	0.055	14
Toluene	108-88-3	0.080	10

## K150

Organic residuals, excluding spent carbon adsorbent, from the spent chlorine gas and hydrochloric acid recovery processes associated with the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Chloromethane	74-87-3	0.19	30
p-Dichlorobenzene	106-46-7	0.090	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachloro-benzene	95-94-3	0.055	14
1,1,2,2-Tetrachloro-ethane	79-34-5	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
1,2,4-Trichlorobenzene	120-82-1	0.055	19

## K151

Wastewater treatment sludges, excluding neutralization and biological sludges, generated during the treatment of wastewaters from the production of alpha- (or methyl-) chlorinated toluenes, ring-chlorinated toluenes, benzoyl chlorides, and compounds with mixtures of these functional groups.

Benzene	71-43-2	0.14	10
Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Hexachlorobenzene	118-74-1	0.055	10
Pentachlorobenzene	608-93-5	0.055	10
1,2,4,5-Tetrachloro-benzene	95-94-3	0.055	14
Tetrachloroethylene	127-18-4	0.056	6.0
Toluene	108-88-3	0.080	10

## K156

Organic waste (including heavy ends, still bottoms, light ends, spent solvents, filtrates, and decantates) from the production of carbanates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propyl-n-butylcarbamate.)(10)

Acetonitrile	75-05-8	5.6	38
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POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Acetophenone	96-86-2	0.010	9.7
Aniline	62-53-3	0.81	14
Benomyl	17804-35-2	0.056	1.4
Benzene	71-43-2	0.14	10
Carbaryl	63-25-21	0.006	0.14
Carbenzadim	10605-21-7	0.056	1.4
Carbofuran	1563-66-2	0.006	0.14
Carbosulfan	55285-14-8	0.028	1.4
Chlorobenzene	108-90-7	0.057	6.0
Chloroform	67-66-3	0.046	6.0
o-Dichlorobenzene	95-50-1	0.088	6.0
Methomyl	16752-77-5	0.028	0.14
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
Naphthalene	91-20-3	0.059	5.6
Phenol	108-95-2	0.039	6.2
Pyridine	110-86-1	0.014	16
Toluene	108-88-3	0.080	10
Triethylamine	121-44-8	0.081	1.5

K157

Wastewaters (including scrubber waters, condenser waters, washwaters, and separation waters) from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propyl-n-butylcarbamate.)(10)

Carbon tetrachloride	56-23-5	0.057	6.0
Chloroform	67-66-3	0.046	6.0
Chloromethane	74-87-3	0.19	30
Methomyl	16752-77-5	0.028	0.14
Methylene chloride	75-09-2	0.089	30
Methyl ethyl ketone	78-93-3	0.28	36
o-Phenylenediamine	95-54-5	0.056	5.6
Pyridine	110-86-1	0.014	16
Triethylamine	121-44-8	0.081	1.5

K158

Baghouse dusts and filter/separation solids from the production of carbamates and carbamoyl oximes. (This listing does not apply to wastes generated from the manufacture of 3-iodo-2-propyl-n-butylcarbamate.)(10)

Benomyl	17804-35-2	0.056	1.4
Benzene	71-43-2	0.14	10
Carbenzadim	10605-21-7	0.056	1.4
Carbofuran	1563-66-2	0.006	0.14
Carbosulfan	55285-14-8	0.028	1.4
Chloroform	67-66-3	0.046	6.0
Methylene chloride	75-09-2	0.089	30
Phenol	108-95-2	0.039	6.2

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

K159	Organics from the treatment of thiocarbamate wastes.(10)		
Benzene	71-43-2	0.14	10
Butylate	2008-41-5	0.042	1.4
EPTC (Eptam)	759-94-4	0.042	1.4
Molinate	2212-67-1	0.042	1.4
Pebulate	1114-71-2	0.042	1.4
Vernolate	1929-77-7	0.042	1.4
K161	Purification solids (including filtration, evaporation, and centrifugation solids), baghouse dust and floor sweepings from the production of dithiocarbamate acids and their salts.(10)		
Antimony	7440-36-0	1.9	2.1 mg/l TCLP
Arsenic	7440-38-2	1.9	5.0 mg/l TCLP
Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
Dithiocarbamates (total)	NA	0.028	28
Lead	7439-92-1	0.69	0.37 mg/l TCLP
Nickel	7440-02-0	3.98	5.0 mg/l TCLP
Selenium	7782-49-2	0.82	0.16 mg/l TCLP

P001

Warfarin, & salts, when present at concentrations greater than 0.3 percent

Warfarin	81-81-2	(WETOX or CHOXD) fb	CMBST
		CARBN; or CMBST	

P002

1-Acetyl-2-thiourea	591-08-2	(WETOX or CHOXD) fb	CMBST
1-Acetyl-2-thiourea		CARBN; or CMBST	

P003

Acrolein	107-02-8	0.29	CMBST
Acrolein			

P004

Aldrin	309-00-2	0.021	0.066
Aldrin			

P005

Allyl alcohol	107-18-6	(WETOX or CHOXD) fb	CMBST
Allyl alcohol			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

CARBN; or  
CMBSTP006  
Aluminum phosphide  
Aluminum phosphide

20859-73-8

CHOXD; CHRED;  
or CMBSTCHOXD; CHRED;  
or CMBSTP007  
5-Aminomethyl-3-  
isoxazolol5-Aminomethyl-3-isoxa-  
zolol

2763-96-4

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

P008  
4-Aminopyridine  
4-Aminopyridine

504-24-5

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

P009  
Ammonium picrate  
Ammonium picrate

131-74-8

CHOXD; CHRED;  
CARBN; BIODG;  
or CMBSTCHOXD; CHRED;  
or CMBSTP010  
Arsenic acid  
Arsenic

7440-38-2

1.4

5.0 mg/l TCLP

P011  
Arsenic pentoxide  
Arsenic

7440-38-2

1.4

5.0 mg/l TCLP

P012  
Arsenic trioxide  
Arsenic

7440-38-2

1.4

5.0 mg/l TCLP

P013  
Barium cyanide  
Barium

7440-39-3

NA

7.6 mg/l TCLP

Cyanides (Total)(7)  
Cyanides (Amendable)(7)57-12-5  
57-12-51.2  
0.86590  
30

P014

Carbon disulfide  
Carbon disulfide  
Carbon disulfide;  
alternate(6) standard for  
nonwastewaters only75-15-0  
75-15-03.8  
NACMBST  
4.8 mg/l TCLP

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBSTThiophenol (Benzene thiol)  
Thiophenol (Benzene  
thiol)

108-98-5

CMBST

P015  
Beryllium dust  
Beryllium

7440-41-7

RMETL; or R'THERM

RMETL; or  
R'THERM

P016

Dichloromethyl ether (Bis(chloromethyl)ether)  
Dichloromethyl ether

542-88-1

CMBST

P017

Bromoacetone  
Bromoacetone

598-31-2

CMBST

P018

Brucine  
Brucine

357-57-3

CMBST

P020

2-sec-Butyl-4,6-dinitrophenol (Dinoseb)  
2-sec-Butyl-4,6-dinitro-  
phenol (Dinoseb)

0.066

2.5

P021

Calcium cyanide  
Cyanides (Total)(7)  
Cyanides (Amenable)(7)57-12-5  
57-12-51.2  
0.86590  
30

P022

Carbon disulfide  
Carbon disulfide  
Carbon disulfide;  
alternate(6) standard for  
nonwastewaters only75-15-0  
75-15-03.8  
NACMBST  
4.8 mg/l TCLP



POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

P023 Chloroacetaldehyde Chloroacetaldehyde	107-20-0	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P024 p-Chloroaniline p-Chloroaniline	106-47-8	0.46	16
P026 1-(o-Chlorophenyl)thiourea 1-(o-Chlorophenyl)thio- urea	5344-82-1	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P027 3-Chloropropionitrile 3-Chloropropionitrile	542-76-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P028 Benzyl chloride Benzyl chloride	100-44-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P029 Copper cyanide Cyanides (Total)(7) Cyanides (Amenable)(7)	57-12-5 57-12-5	1.2 0.86	590 30
P030 Cyanides (soluble salts and complexes) Cyanides (Total)(7) Cyanides (Amenable)(7)	57-12-5 57-12-5	1.2 0.86	590 30
P031 Cyanogen Cyanogen	460-19-5	CHOXD; WETOX; or CMBST	CHOXD; WETOX; or CMBST
P033			

POLLUTION CONTROL BOARD  
NOTICE OF ADOPTED AMENDMENTS

Cyanogen chloride Cyanogen chloride	506-77-4	CHOXD; WETOX; or CMBST	CHOXD; WETOX; or CMBST
P034 2-Cyclohexyl-4,6-dinitrophenol 2-Cyclohexyl-4,6- dinitrophenol	131-89-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P036 Dichlorophenylarsine Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P037 Dieldrin Dieldrin	60-57-1	0.017	0.13
P038 Diethylarsine Arsenic	7440-38-2	1.4	5.0 mg/l TCLP
P039 Disulfoton Disulfoton	298-04-4	0.017	6.2
P040 O,O-Diethyl-O-pyrazinyl-phosphorothioate O,O-Diethyl-O-pyrazinyl- phosphorothioate	297-97-2	CARBN; or CMBST	CMBST
P041 Diethyl-p-nitrophenyl phosphate Diethyl-p-nitrophenyl phosphate	311-45-5	CARBN; or CMBST	CMBST
P042 Epinephrine Epinephrine	51-43-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P043 Diisopropylfluorophosphate (DFP) Diisopropylfluoro- phosphate (DFP)	55-91-4	CARBN; or CMBST	CMBST

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

P044 Dimethoate Dimethoate	60-51-5	CARBEN; or CMBST	CMBST
P045 Thiofanox Thiofanox	39196-18-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P046 alpha,alpha-Dimethylphenethylamine alpha,alpha-Dimethyl- phenethylamine	122-09-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P047 4,6-Dinitro-o-cresol 4,6-Dinitro-o-cresol	543-52-1	0.28	160
P047 NA 4,6-Dinitro-o-cresol salts	NA	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P048 2,4-Dinitrophenol 2,4-Dinitrophenol	51-28-5	0.12	160
P049 Dithiobiuret Dithiobiuret	541-53-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P050 Endosulfan Endosulfan I Endosulfan II Endosulfan sulfate	939-98-8 33213-6-5 1031-07-8	0.023 0.029 0.029	0.066 0.13 0.13
P051			

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Endrin Endrin Endrin aldehyde	72-20-8 7421-93-4	0.0028 0.025	0.13 0.13
P054 Aziridine Aziridine	151-56-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P056 Fluorine Fluoride (measured in wastewaters only)	16964-48-8	35	ADGAS fb NEUTR
P057 Fluoroacetamide Fluoroacetamide	640-19-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P058 Fluoroacetic acid, sodium salt Fluoroacetic acid, sodium salt	62-74-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P059 Heptachlor Heptachlor Heptachlor epoxide	76-44-8 1024-57-3	0.0012 0.016	0.066 0.066
P060 Isodrin Isodrin	465-73-6	0.021	0.066
P062 Hexaethyl tetraphosphate Hexaethyl tetraphosphate	757-58-4	CARBEN; or CMBST	CMBST
P063 Hydrogen cyanide Cyanides (Total)(7) Cyanides (Amenable)(7)	57-12-5 57-12-5	1.2 0.86	590 30

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

P064	Isocyanic acid, ethyl ester Isocyanic acid, ethyl ester	624-83-9	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P065	(mercury fulminate) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.	7439-97-6	NA	IMERC
P065	(mercury fulminate) nonwastewaters that are either incinerator residues or are residues from RMERC; and contain greater than or equal to 260 mg/kg total mercury.	7339-97-6	RMERC	
P065	(mercury fulminate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.	7439-97-6	NA	0.20 mg/l TCLP
P065	(mercury fulminate) nonwastewaters that are incinerator residues and contain less than 260 mg/kg total mercury.	7439-97-6	NA	0.025 mg/l TCLP
P065	All P065 (mercury fulminate) wastewaters.	7439-97-6	0.15	NA
P066	Methomyl	16752-77-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P067	2-Methyl-aziridine	75-55-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P068				

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Methyl hydrazine Methyl hydrazine	60-34-4	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
P069			
2-Methyl lactonitrile 2-Methyl lactonitrile	75-86-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P070			
Aldicarb Aldicarb	116-06-3	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P071			
Methyl parathion Methyl parathion	298-00-0	0.014	4.6
P072			
1-Naphthyl-2-thiourea 1-Naphthyl-2-thiourea	86-88-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P073			
Nickel carbonyl Nickel	7440-02-0	3.98	5.0 mg/l TCLP
P074			
Nickel cyanide Cyanides (Total)(7) Cyanides (Amenable)(7) Nickel	57-12-5 57-12-5 7440-02-0	1.2 0.86 3.98	590 30 5.0 mg/l TCLP
P075			
Nicotine and salts Nicotine and salts	54-11-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
P076			



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Nitric oxide	10102-43-9	ADGAS	ADGAS		
Nitric oxide					
P077					
p-Nitroaniline	100-01-6	0.028	28		
p-Nitroaniline					
P078					
Nitrogen dioxide	10102-44-0	ADGAS	ADGAS		
Nitrogen dioxide					
P081					
Nitroglycerin	55-63-0	CHOXD; CHRED; CARBN; BIODG or CMBST	CHOXD; CHRED; or CMBST		
Nitroglycerin					
P082					
N-Nitrosodimethylamine	62-75-9	0.40	2.3		
N-Nitrosodimethylamine					
P084					
N-Nitrosomethylvinylamine	4549-40-0	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST		
N-Nitrosomethylvinylamine					
P085					
Octamethylpyrophosphoramide	152-16-9	CARBN; or CMBST	CMBST		
Octamethylpyrophosphoramide					
P087					
Osmium tetroxide	20816-12-0	RMETL; or RTHRM	RMETL; or RTHRM		
Osmium tetroxide					
P088					
Endothall	145-73-3	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST		
Endothall					
P089					
Parathion	56-38-2	0.014	4.6		
Parathion					

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

P092					
P092 (phenyl mercuric acetate) nonwastewaters, regardless of their total mercury content, that are not incinerator residues or are not residues from RMERC.					
Mercury	7439-97-6	NA	IMERC; or RMERC		
P092					
P092 (phenyl mercuric acetate) nonwastewaters that are either incinerator residues or are residues from RMERC; and still contain greater than or equal to 260 mg/kg total mercury.					
Mercury	7439-97-6	NA	RMERC		
P092					
P092 (phenyl mercuric acetate) nonwastewaters that are residues from RMERC and contain less than 260 mg/kg total mercury.					
Mercury	7439-97-6	NA	0.20 mg/l TCLP		
P092					
P092 (phenyl mercuric acetate) nonwastewaters that are incinerator residues and contain less than 260 mg/kg total mercury.					
Mercury	7439-97-6	NA	0.025 mg/l TCLP		
P092					
All P092 (phenyl mercuric acetate) wastewaters.					
Mercury	7439-97-6	0.15	NA		
P093					
Phenylthiourea	103-85-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST		
Phenylthiourea					
P094					
Phosphate	298-02-2	0.021	4.6		
Phosphate					
P095					
Phosgene	75-44-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST		
Phosgene					
P096					
Phosphine					

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Phosphine	7803-51-2	CHOXD; CHRED; or CMBST	CHOXD; CHRED; or CMBST
P097 Famphur	52-85-7	0.017	15
P098 Potassium cyanide. Cyanides (Total)(7) Cyanides (Amenable)(7)	57-12-5 57-12-5	1.2 0.86	590 30
P099 Potassium silver cyanide Cyanides (Total)(7) Cyanides (Amenable)(7) Silver	57-12-5 57-12-5 7440-22-4	1.2 0.86 0.43	590 30 0.30mg/l TCLP
P101 Ethyl cyanide (Propanenitrile) Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360
P102 Propargyl alcohol Propargyl alcohol	107-19-7	(WETOX or CHOXD) fb CARN; or CMBST	CMBST
P103 Selenourea Selenium	7782-49-2	0.82	0.16 mg/l TCLP
P104 Silver cyanide Cyanides (Total)(7) Cyanides (Amenable)(7) Silver	57-12-5 57-12-5 7440-22-4	1.2 0.86 0.43	590 30 0.30 mg/l TCLP
P105 Sodium azide Sodium azide	26628-22-8	CHOXD; CHRED; CARN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
P106 Sodium cyanide Cyanides (Total)(7)	57-12-5	1.2	590

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Cyanides (Amenable)(7)	57-12-5	0.86	30
P108 Strychnine and salts Strychnine and salts	57-24-9	(WETOX or CHOXD) fb CARN; or CMBST	CMBST
P109 Tetraethyldithiopyrophosphate Tetraethyldithiopyro- phosphate	3689-24-5	CARN; or CMBST	CMBST
P110 Tetraethyl lead Lead	7439-92-1	0.69	0.37 mg/l TCLP
P111 Tetraethylpyrophosphate Tetraethylpyrophosphate	107-49-3	CARN; or CMBST	CMBST
P112 Tetranitromethane Tetranitromethane	509-14-8	CHOXD; CHRED; CARN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
P113 Thallic oxide Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
P114 Thallium selenite Selenium	7782-49-2	0.82	0.16mg/l TCLP
P115 Thallium (I) sulfate Thallium (measured in wastewaters only)	7440-28-0	1.4	RTHRM; or STABL
P116 Thiosemicarbazide Thiosemicarbazide	79-19-6	(WETOX or CHOXD) fb CARN; or	CMBST

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

P118 Trichloromethanethiol	75-70-7	CMBST	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
P119 Ammonium vanadate	7440-62-2	4.3		STABL	
Vanadium (measured in wastewaters only)					
P120 Vanadium pentoxide	7440-62-2	4.3		STABL	
Vanadium (measured in wastewaters only)					
P121 Zinc cyanide	57-12-5	1.2		590	
Cyanides (Total)(7)	57-12-5	0.86		30	
Cyanides (Amenable)(7)					
P122 Zinc phosphide Zn[3]P[2], when present at concentrations greater than 10 Percent %	1314-84-7	CHOXD; CHRED; or CMBST	CHOXD; CHRED; or CMBST		
Zinc Phosphide					
P123 Toxaphene	8001-35-2	0.0095		2.6	
Toxaphene					
P127 Carbofuran(10)	1563-66-2	0.006		0.14	
Carbofuran					
P128 Mexacarbate(10)	315-18-4	0.056		1.4	
Mexacarbate					
P185 Tirpate(10)	26419-73-8	0.056		0.28	
Tirpate					
P188 Physostigmine					

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

salicylate (10) Physostigmine salicylate	57-64-7	0.056		1.4	
P189 Carbosulfan(10)	55285-14-8	0.028		1.4	
Carbosulfan					
P190 Metolcarb(10)	1129-41-5	0.056		1.4	
Metolcarb					
P191 Dimetilan(10)	644-64-4	0.056		1.4	
Dimetilan					
P192 Isolan(10)	119-38-0	0.056		1.4	
Isolan					
P194 Oxamyl(10)	23135-22-0	0.056		0.28	
Oxamyl					
P196 Manganese dimethyldithiocarbamates (total)(10)	NA	0.028		28	
Dithiocarbamates (total)					
P197 Formparanate(10)	17702-57-7	0.056		1.4	
Formparanate					
P198 Formetanate hydrochloride(10)	23422-53-9	0.056		1.4	
Formetanate hydro- chloride					
P199 Methiocarb(10)	2032-65-7	0.056		1.4	
Methiocarb					
P201 Promecarb(10)	2631-37-0	0.056		1.4	
Promecarb					
P202 m-Cumenyl methylcarbamate(10)					



POLLUTION CONTROL BOARD			POLLUTION CONTROL BOARD		
NOTICE OF ADOPTED AMENDMENTS			NOTICE OF ADOPTED AMENDMENTS		
m-Cumenyl methyl-carbamate	64-00-6	0.056	1.4	U007 Acrylamide	CMBST
2203 Aldicarb sulfone(10) Aldicarb sulfone	1646-88-4	0.056	0.28	79-06-1 Acrylamide	(WETOX or CHOXD) fb CARBN; or CMBST
2204 Physostigmine(10) Physostigmine	57-47-6	0.056	1.4	U008 Acrylic acid	CMBST
2205 Zirman(10) Dithiocarbamates (total)	NA	0.028	28	79-10-7 Acrylic acid	(WETOX or CHOXD) fb CARBN; or CMBST
U001 Acetaldehyde	75-07-0	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	U009 Acrylonitrile	0.24
U002 Acetone	67-64-1	0.28	160	107-13-1 Acrylonitrile	84
U003 Acetonitrile	75-05-8	5.6	CMBST	U010 Mitomycin C	CMBST
Acetonitrile;	75-05-8	NA	38	50-07-7 Mitomycin C	(WETOX or CHOXD) fb CARBN; or CMBST
alternate (6) standard for nonwastewaters only				U011 Amitrole	CMBST
U004 Acetophenone	98-86-2	0.010	9.7	61-82-5 Amitrole	(WETOX or CHOXD) fb CARBN; or CMBST
U005 2-Acetylaminofluorene	53-96-3	0.059	140	U012 Aniline	14
U006 Acetyl chloride	75-36-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	62-53-3 Aniline	
				U014 Auramine	
				492-80-8 Auramine	(WETOX or CHOXD) fb CARBN; or CMBST
				U015 Azaserine	
				115-02-6 Azaserine	(WETOX or CHOXD) fb CARBN; or CMBST

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

CHOXD) fb  
CARBN; or  
CMBST

U016  
Benzal chloride  
Benz(c)acridine

225-51-4

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U017  
Benzal chloride  
Benzal chloride

98-87-3

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U018  
Benz(a)anthracene  
Benz(a)anthracene

56-55-3

0.059

3.4

U019  
Benzene  
Benzene

71-43-2

0.14

10

U020  
Benzenesulfonyl chloride  
Benzenesulfonyl chloride

98-09-9

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U021  
Benzidine  
Benzidine

92-87-5

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U022  
Benzo(a)pyrene  
Benzo(a)pyrene

50-32-8

0.061

3.4

U023  
Benzotrifluoride  
Benzotrifluoride

98-07-7

CHOXD; CHRED;  
CARBN; BIODG;

CHOXD; CHRED;  
or CMBST

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

or CMBST

U024  
bis(2-Chloroethoxy)methane  
bis(2-Chloroethoxy)-  
methane

111-91-1

0.036

7.2

U025  
bis(2-Chloroethyl)ether  
bis(2-Chloroethyl)ether

111-44-4

0.033

6.0

U026  
Chlornaphazine  
Chlornaphazine

494-03-1

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U027  
bis(2-Chloroisopropyl)ether  
bis(2-Chloroisopropyl)-  
ether

39638-32-9

0.055

7.2

U028  
bis(2-Ethylhexyl)phthalate  
bis(2-Ethylhexyl)-  
phthalate

117-81-7

0.28

28

U029  
Methyl bromide (Bromomethane)  
Methyl bromide (Bromo-  
methane)

74-83-9

0.11

15

U030  
4-Bromophenyl phenyl ether  
4-Bromophenyl phenyl  
ether

101-55-3

0.055

15

U031  
n-Butyl alcohol  
n-Butyl alcohol

71-36-3

5.6

2.6

U032  
Calcium chromate  
Chromium (Total)

7440-47-3

2.77

0.86 mg/l TCLP

U033  
Carbon oxyfluoride

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Carbon oxyfluoride	353-50-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U034 Trichloroacetaldehyde (Chloral) Trichloroacetaldehyde (Chloral)	75-87-6	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U035 Chlorambucil Chlorambucil	305-03-3	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U036 Chlordane Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
U037 Chlorobenzene Chlorobenzene	108-90-7	0.057	6.0
U038 Chlorobenzilate Chlorobenzilate	510-15-6	0.10	CMBST
U039 p-Chloro-m-cresol p-Chloro-m-cresol	59-50-7	0.018	14
U041 Epichlorohydrin (1- Chloro-2,3-epoxypropane) Epichlorohydrin (1- Chloro-2,3-epoxypropane)	106-89-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U042 2-Chloroethyl vinyl ether 2-Chloroethyl vinyl ether	110-75-8	0.062	CMBST

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

U043 Vinyl chloride Vinyl chloride	75-01-4	0.27	6.0
U044 Chloroform Chloroform	67-66-3	0.046	6.0
U045 Chloromethane (Methyl chloride) Chloromethane (Methyl chloride)	74-87-3	0.19	30
U046 Chloromethyl methyl ether Chloromethyl methyl ether	107-30-2	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U047 2-Chloronaphthalene 2-Chloronaphthalene	91-58-7	0.055	5.6
U048 2-Chlorophenol 2-Chlorophenol	95-57-8	0.044	5.7
U049 4-Chloro-o-toluidine hydrochloride 4-Chloro-o-toluidine hydrochloride	3165-93-3	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U050 Chrysene Chrysene	218-01-9	0.059	3.4
U051 Creosote Naphthalene Pentachlorophenol Phenanthrene Pyrene Toluene	91-20-3 87-86-5 85-01-8 129-00-0 108-88-3	0.059 0.089 0.059 0.067 0.080	5.6 7.4 5.6 8.2 10



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Xylenes-mixed isomers  
(sum of o-, m-, and p-  
xylene concentrations)

1330-20-7

0.32

30

Lead

7439-92-1

0.69

0.37 mg/l TCLP

U052

Cresols (Cresylic acid)

95-48-7

0.11

5.6

m-Cresol (difficult to  
distinguish from p-  
cresol)

108-39-4

0.77

5.6

p-Cresol (difficult to  
distinguish from m-  
cresol)

106-44-5

0.77

5.6

Cresol-mixed isomers  
(Cresylic acid)  
(sum of o-, m-, and p-  
cresol concentrations)

1319-77-3

0.88

11.2

U053

Crotonaldehyde

Crotonaldehyde

4170-30-3

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U055

Cumene

Cumene

98-82-8

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U056

Cyclohexane

Cyclohexane

110-82-7

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U057

Cyclohexanone

Cyclohexanone

Cyclohexanone;

alternate(6) standard  
for nonwastewaters only

108-94-1

0.36

CMBST

0.75 mg/l TCLP

U058

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Cyclophosphamide  
Cyclophosphamide

50-18-0

CARBN; or  
CMBST

CMBST

U059

Daunomycin

Daunomycin

20830-81-3

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U060

DDD

O,p'-DDD

P,p'-DDD

53-19-0

0.023

0.087

72-54-8

0.023

0.087

U061

DDT

O,p'-DDT

P,p'-DDT

789-02-6

0.0039

0.087

50-29-3

0.0039

0.087

53-19-0

0.023

0.087

72-54-8

0.023

0.087

3424-82-6

0.031

0.087

72-55-9

0.031

0.087

U062

Diallate

Diallate

2303-16-4

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U063

Dibenz(a,h)anthracene

Dibenz(a,h)anthracene

53-70-3

0.055

8.2

U064

Dibenz(a,i)pyrene

Dibenz(a,i)pyrene

189-55-9

(WETOX or  
CHOXD) fb  
CARBN; or  
CMBST

CMBST

U066

1,2-Dibromo-3-chloro-  
propane

1,2-Dibromo-3-  
chloropropane

96-12-8

0.11

15

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

U067	Ethylene dibromide (1,2-Dibromoethane)	106-93-4	0.028	15
	Ethylene dibromide (1,2-Dibromoethane)			
U068	Dibromomethane	74-95-3	0.11	15
	Dibromomethane			
U069	Di-n-butyl phthalate	84-74-2	0.057	28
	Di-n-butyl phthalate			
U070	o-Dichlorobenzene	95-50-1	0.088	6.0
	o-Dichlorobenzene			
U071	m-Dichlorobenzene	541-73-1	0.036	6.0
	m-Dichlorobenzene			
U072	p-Dichlorobenzene	106-46-7	0.090	6.0
	p-Dichlorobenzene			
U073	3,3'-Dichlorobenzidine	91-94-1	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
	3,3'-Dichlorobenzidine			
U074	1,4-Dichloro-2-butene	1476-11-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
	cis-1,4-Dichloro-2-butene			
	trans-1,4-Dichloro-2-butene	764-41-0	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U075	Dichlorodifluoromethane	75-71-8	0.23	7.2
	Dichlorodifluoromethane			
U076				

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

	1,1-Dichloroethane	75-34-3	0.059	6.0
	1,1-Dichloroethane			
U077	1,2-Dichloroethane	107-06-2	0.21	6.0
	1,2-Dichloroethane			
U078	1,1-Dichloroethylene	75-35-4	0.025	6.0
	1,1-Dichloroethylene			
U079	1,2-Dichloroethylene	156-60-5	0.054	30
	trans-1,2-Dichloroethylene			
U080	Methylene chloride	75-09-2	0.089	30
	Methylene chloride			
U081	2,4-Dichlorophenol	120-83-2	0.044	14
	2,4-Dichlorophenol			
U082	2,6-Dichlorophenol	87-65-0	0.044	14
	2,6-Dichlorophenol			
U083	1,2-Dichloropropane	78-87-5	0.85	18
	1,2-Dichloropropane			
U084	1,3-Dichloropropylene	10061-01-5	0.036	18
	cis-1,3-Dichloropropylene			
	trans-1,3-Dichloropropylene	10061-02-6	0.036	18
U085	1,2:3,4-Diepoxybutane	1464-53-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
	1,2:3,4-Diepoxybutane			
U086	N,N'-Diethylhydrazine			

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N,N'-Diethylhydrazine	1615-80-1	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
U087 O,O-Diethyl-S-methyldithiophosphate O,O-Diethyl-S-methyl- dithiophosphate	3288-58-2	CARBN; or CMBST	CMBST
U088 Diethyl phthalate Diethyl phthalate	84-66-2	0.20	28
U089 Diethyl stilbestrol Diethyl stilbestrol	56-53-1	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U090 Dihydrosafrole Dihydrosafrole	94-58-6	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U091 3,3'-Dimethoxybenzidine 3,3'-Dimethoxybenzidine	119-90-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U092 Dimethylamine Dimethylamine	124-40-3	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U093 p-Dimethylaminoazobenzene p-Dimethyl- aminoazobenzene	60-11-7	0.13	CMBST
U094 7,12-Dimethylbenz(a) anthracene 7,12-Dimethylbenz(a)-	57-97-6	(WETOX or	CMBST

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anthracene		CHOXD) fb CARBN; or CMBST	
U095 3,3'-Dimethylbenzidine 3,3'-Dimethylbenzidine	119-93-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U096 alpha, alpha-Dimethyl benzyl hydroperoxide alpha, alpha-Dimethyl benzyl hydroperoxide	80-15-9	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
U097 Dimethylcarbamoyl chloride Dimethylcarbamoyl chloride	79-44-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
U098 1,1-Dimethylhydrazine 1,1-Dimethylhydrazine	57-14-7	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
U099 1,2-Dimethylhydrazine 1,2-Dimethylhydrazine	540-73-8	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
U101 2,4-Dimethylphenol 2,4-Dimethylphenol	105-67-9	0.036	14
U102 Dimethyl phthalate Dimethyl phthalate	131-11-3	0.047	28
U103 Dimethyl sulfate Dimethyl sulfate	77-78-1	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
U105			



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2,4-Dinitrotoluene	121-14-2	0.32	140
2,4-Dinitrotoluene			
U106			
2,6-Dinitrotoluene	606-20-2	0.55	28
2,6-Dinitrotoluene			
U107			
Di-n-octyl phthalate	117-84-0	0.017	28
Di-n-octyl phthalate			
U108			
1,4-Dioxane	123-91-1	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
1,4-Dioxane			
1,4-Dioxane; alternate (6) standard for nonwastewaters only	123-91-1	NA	170
1,4-Dioxane; alternate (6) standard for nonwastewaters only			
U109			
1,2-Diphenylhydrazine	122-66-7	CHOXD; CHRED; CARBN; BIODG; or CMBST	CHOXD; CHRED; or CMBST
1,2-Diphenylhydrazine			
1,2-Diphenylhydrazine; alternate(6) standard for wastewaters only	122-66-7	0.087	NA
1,2-Diphenylhydrazine; alternate(6) standard for wastewaters only			
U110			
Dipropylamine	142-84-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
Dipropylamine			
U111			
Di-n-propylnitrosamine	621-64-7	0.40	14
Di-n-propylnitrosamine			
U112			
Ethyl acetate	141-78-6	0.34	33
Ethyl acetate			
U113			
Ethyl acrylate			

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ethyl acrylate	140-88-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
ethyl acrylate			
U114			
Ethylenebisdithiocarbamic acid salts and esters	111-54-6	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
Ethylenebisdithio- carbamic acid			
U115			
Ethylene oxide	75-21-8	(WETOX or CHOXD) fb CARBN; or CMBST	CHOXD; or CMBST
Ethylene oxide			
Ethylene oxide; alternate(6) standard for wastewaters only	75-21-8	0.12	NA
Ethylene oxide; alternate(6) standard for wastewaters only			
U116			
Ethylene thiourea	96-45-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
Ethylene thiourea			
U117			
Ethyl ether	60-29-7	0.12	160
Ethyl ether			
U118			
Ethyl methacrylate	97-63-2	0.14	160
Ethyl methacrylate			
U119			
Ethyl methane sulfonate	62-50-0	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
Ethyl methane sulfonate			
U120			
Fluoranthene	206-44-0	0.068	3.4
Fluoranthene			



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U138	Iodomethane	74-88-4	0.19	65	U149 Malononitrile
U140	Isobutyl alcohol	78-83-1	5.6	170	(WETOX or CHOXD) fb CAREN; or CMBST
U141	Isosafrole	120-58-1	0.081	2.6	U150 Melphalan
U142	Kepone	143-50-8	0.0011	0.13	(WETOX or CHOXD) fb CAREN; or CMBST
U143	Lasiocarpine	303-34-4	(WETOX or CHOXD) fb CAREN; or CMBST	CMBST	U151 U151 (mercury) nonwastewaters that contain greater than or equal to 260 mg/kg total mercury.
U144	Lead acetate	7439-92-1	0.69	0.37 mg/l TCLP	Mercury
U145	Lead phosphate	7439-92-1	0.69	0.37 mg/l TCLP	U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
U146	Lead subacetate	7439-92-1	0.69	0.37 mg/l TCLP	Mercury
U147	Maleic anhydride	108-31-6	(WETOX or CHOXD) fb CAREN; or CMBST	CMBST	U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
U148	Maleic hydrazide	123-33-1	(WETOX or CHOXD) fb CAREN; or CMBST	CMBST	Mercury
					U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
					Mercury
					U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
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					U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
					Mercury
					U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
					Mercury
					U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues from RMERC only.
					Mercury
					U151 U151 (mercury) nonwastewaters that contain less than 260 mg/kg total mercury and that are residues





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2-Nitropropane 2-Nitropropane	79-46-9	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL72 N-Nitrosodi-n-butylamine N-Nitrosodi-n- butylamine	924-16-3	0.40	17	
UL73 N-Nitrosodiethanolamine N-Nitrosodiethanol- amine	1116-54-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL74 N-Nitrosodiethylamine N-Nitrosodiethylamine	55-18-5	0.40	28	
UL76 N-Nitroso-N-ethylurea N-Nitroso-N-ethylurea	759-73-9	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL77 N-Nitroso-N-methylurea N-Nitroso-N-methylurea	684-93-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL78 N-Nitroso-N-methylurethane N-Nitroso-N-methyl- urethane	615-53-2	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL79 N-Nitrosopiperidine N-Nitrosopiperidine	100-75-4	0.013	35	
UL80				

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N-Nitrosopyrrolidine N-Nitrosopyrrolidine	930-55-2	0.013	35	
UL81 5-Nitro-o-toluidine 5-Nitro-o-toluidine	99-55-8	0.32	28	
UL82 Paraldehyde Paraldehyde	123-63-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL83 Pentachlorobenzene Pentachlorobenzene	608-93-5	0.055	10	
UL84 Pentachloroethane Pentachloroethane	76-01-7	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
Pentachloroethane; alternate(6) standards for both wastewaters and nonwastewaters	76-01-7	0.055	6.0	
UL85 Pentachloronitrobenzene Pentachloronitrobenzene	82-68-8	0.055	4.8	
UL86 1,3-Pentadiene 1,3-Pentadiene	504-60-9	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	
UL87 Phenacetin Phenacetin	62-44-2	0.081	16	
UL88 Phenol Phenol	108-95-2	0.039	6.2	

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U189 Phosphorus sulfide Phosphorus sulfide	1314-80-3	CHOXD; CHRED; or CMBST	CHOXD; CHRED; or CMBST	
U190 Phthalic anhydride Phthalic anhydride (measured as Phthalic acid or Terephthalic acid) Phthalic anhydride (measured as Phthalic acid or Terephthalic acid)	100-21-0 85-44-9	0.055 0.055	28 28	CMBST
U191 2-Picoline 2-Picoline	109-06-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	CMBST
U192 Pronamide Pronamide	23950-58-5	0.093	1.5	22
U193 1,3-Propane sultone 1,3-Propane sultone	1120-71-4	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	0.16 mg/l TCLP
U194 n-Propylamine n-Propylamine	107-10-8	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST	0.16 mg/l TCLP
U196 Pyridine Pyridine	110-86-1	0.014	16	CMBST
U197 p-Benzoquinone p-Benzoquinone	106-51-4	(WETOX or CHOXD) fb CARBN; or CMBST	0.055	14



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U208	1,1,1,2-Tetrachloroethane	630-20-6	0.057	6.0
	1,1,1,2-Tetrachloroethane			
U209	1,1,2,2-Tetrachloroethane	79-34-5	0.057	6.0
	1,1,2,2-Tetrachloroethane			
U210	Tetrachloroethylene	127-18-4	0.056	6.0
	Tetrachloroethylene			
U211	Carbon tetrachloride	56-23-5	0.057	6.0
	Carbon tetrachloride			
U213	Tetrahydrofuran	109-99-9	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
	Tetrahydrofuran			
U214	Thallium (I) acetate	7440-28-0	1.4	RTHRM; or STABL
	Thallium (measured in wastewaters only)			
U215	Thallium (I) carbonate	7440-28-0	1.4	RTHRM; or STABL
	Thallium (measured in wastewaters only)			
U216	Thallium (I) chloride	7440-28-0	1.4	RTHRM; or STABL
	Thallium (measured in wastewaters only)			
U217	Thallium (I) nitrate	7440-28-0	1.4	RTHRM; or STABL
	Thallium (measured in wastewaters only)			
U218	Thioacetamide	62-55-5	(WETOX or	CMBST
	Thioacetamide			

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U219	Thiourea	62-56-6	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
	Thiourea			
U220	Toluene	108-88-3	0.080	10
	Toluene			
U221	Toluenediamine	25376-45-8	CARBN; or CMBST	CMBST
	Toluenediamine			
U222	o-Toluidine hydrochloride	636-21-5	(WETOX or CHOXD) fb CARBN; or CMBST	CMBST
	o-Toluidine hydrochloride			
U223	Toluene diisocyanate	26471-62-5	CARBN; or CMBST	CMBST
	Toluene diisocyanate			
U225	Bromoform (Tribromomethane)	75-25-2	0.63	15
	Bromoform (Tribromo- methane)			
U226	1,1,1-Trichloroethane	71-55-6	0.054	6.0
	1,1,1-Trichloroethane			
U227	1,1,2-Trichloroethane	79-00-5	0.054	6.0
	1,1,2-Trichloroethane			
U228	Trichloroethylene	79-01-6	0.054	6.0
	Trichloroethylene			

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U234 1,3,5-Trinitrobenzene	99-35-4	(WETOX or CHOXD) fb CARN; or CMBST	CMBST				
U235 tris-(2,3-Dibromopropyl)-phosphate tris-(2,3-Dibromo- propyl)-phosphate	126-72-7	0.11	0.10				
U236 Trypan Blue	72-57-1	(WETOX or CHOXD) fb CARN; or CMBST	CMBST				
U237 Uracil mustard	66-75-1	(WETOX or CHOXD) fb CARN; or CMBST	CMBST				
U238 Urethane (Ethyl carbamate)	51-79-6	(WETOX or CHOXD) fb CARN; or CMBST	CMBST				
U239 Xylenes Xylenes-mixed isomers (sum of o-,m-,and p- xylene concentrations)	1330-20-7	0.32	30				
U240 2,4-D (2,4-Dichlorophenoxyacetic acid)	94-75-7	0.72	10				
2,4-D (2,4-Dichloro- phenoxyacetic acid)	NA	(WETOX or CHOXD) fb CARN; or CMBST	CMBST				
2,4-D (2,4-Dichloro- phenoxyacetic acid) salts and esters							
U243 Hexachloropropylene	1888-71-7	0.035					
U244 Thiram	137-26-8	(WETOX or CHOXD) fb CARN; or CMBST					
U246 Cyanogen bromide	506-68-3	CHOXD; WETOX; or CMBST					
U247 Methoxychlor	72-43-5	0.25					
U248 Warfarin, & salts, when present at concentrations of 0.3 percent % or less	81-81-2	(WETOX or CHOXD) fb CARN; or CMBST					
U249 Zinc phosphide, Zn[3]P[2], when present at concentrations of 10 percent % or less	1314-84-7	CHOXD; CHRED; or CMBST					
U271 Benomyl(10)	17804-35-2	0.056					
U278 Bendiocarb(10)	22781-23-3	0.056					
U279 Carbaryl(10)	63-25-2	0.006					
U280 Barban(10)	101-27-9	0.056					

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U243 Hexachloropropylene	1888-71-7	0.035					
U244 Thiram	137-26-8	(WETOX or CHOXD) fb CARN; or CMBST					
U246 Cyanogen bromide	506-68-3	CHOXD; WETOX; or CMBST					
U247 Methoxychlor	72-43-5	0.25					
U248 Warfarin, & salts, when present at concentrations of 0.3 percent % or less	81-81-2	(WETOX or CHOXD) fb CARN; or CMBST					
U249 Zinc phosphide, Zn[3]P[2], when present at concentrations of 10 percent % or less	1314-84-7	CHOXD; CHRED; or CMBST					
U271 Benomyl(10)	17804-35-2	0.056					
U278 Bendiocarb(10)	22781-23-3	0.056					
U279 Carbaryl(10)	63-25-2	0.006					
U280 Barban(10)	101-27-9	0.056					

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U394				
A2213(10)				
A2213	30558-43-1	0.042		1.4
U395				
Diethylene glycol, dicarbamate(10)				
Diethylene glycol, dicarbamate	5952-26-1	0.056		1.4
U404				
Triethylamine(10)				
Triethylamine	101-44-8	0.081		1.5
U409				
Thiophanate-methyl(10)				
Thiophanate-methyl	23564-05-8	0.056		1.4
U410				
Thiodicarb(10)				
Thiodicarb	59669-26-0	0.019		1.4
U411				
Propoxur(10)				
Propoxur	114-26-1	0.056		1.4

## Notes:

- 1 The waste descriptions provided in this table do not replace waste descriptions in 35 Ill. Adm. Code 721. Descriptions of Treatment or Regulatory Subcategories are provided, as needed, to distinguish between applicability of different standards.
- 2 CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts or esters, the CAS number is given for the parent compound only.
- 3 Concentration standards for wastewaters are expressed in mg/l and are based on analysis of composite samples.
- 4 All treatment standards expressed as a Technology Code or combination of Technology Codes are explained in detail in 35 Ill. Adm. Code 728. Table C, "Technology Codes and Description of Technology-Based Standards". "fb" inserted between waste codes denotes "followed by", so that the first-listed treatment is followed by the second-listed treatment. "; " separates alternative treatment treatment schemes.
- 5 Except for Metals (EP or TCLP) and Cyanides (Total and Amenable) the

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U328				
o-Toluidine				
o-Toluidine				
	95-53-4	CMBST; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	CMBST	
U353				
p-Toluidine				
p-Toluidine	106-49-0	CMBST; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	CMBST	
U359				
2-Ethoxyethanol				
2-Ethoxyethanol	110-80-5	CMBST; or CHOXD fb (BIODG or CARBN); or BIODG fb CARBN	CMBST	
U364				
Bendiocarb phenol(10)				
Bendiocarb phenol	22961-82-6	0.056		1.4
U367				
Carbofuran phenol(10)				
Carbofuran phenol	1563-38-8	0.056		1.4
U372				
Carbendazim(10)				
Carbendazim	10605-21-7	0.056		1.4
U373				
Propam(10)				
Propam	122-42-9	0.056		1.4
U387				
Prosulfocarb(10)				
Prosulfocarb	52888-80-9	0.042		1.4
U389				
Triallate(10)				
Triallate	2303-17-5	0.042		1.4



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nonwastewater treatment standards expressed as a concentration were established, in part, based upon incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O or based upon combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 35 Ill. Adm. Code 728.140(d). All concentration standards for nonwastewaters are based on analysis of grab samples.

6 Where an alternate treatment standard or set of alternate standards has been indicated, a facility may comply with this alternate standard, but only for the Treatment or Regulatory Subcategory or physical form (i.e., wastewater or nonwastewater) specified for that alternate standard.

7 Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical or Chemical Methods", USEPA Publication SW-846, as incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.

8 These wastes, when rendered nonhazardous and then subsequently managed in CWA or CWA-equivalent systems, are not subject to treatment standards. (See Section 728.101(c)(3) and (c)(4).)

9 These wastes, when rendered nonhazardous and then subsequently injected in a Class I SDWA well, are not subject to treatment standards. (See 35 Ill. Adm. Code 738.101(d).)

10 This footnote corresponds with note 10 to the table to 40 CFR 268.40, which has already expired by its own terms. This statement maintains structural consistency with the federal regulations.

11 For these wastes, the definition of CMBST is limited to any of the following that have obtained a determination of equivalent treatment under Section 728.142(b): (1) combustion units operating under 35 Ill. Adm. Code 726. (2) combustion units permitted under 35 Ill. Adm. Code 724.Subpart O, or (3) combustion units operating under 35 Ill. Adm. Code 725.Subpart O.

BOARD NOTE: Derived from table to 40 CFR 268.40 (1997).

NA means not applicable.

(Source: Amended at 22 Ill. Reg. effective  
SEP 28 1998)

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## Section 728.TABLE U Universal Treatment Standards (UTS)

Regulated Constituent- Common Name	CAS(1) No.	Wastewater Standard Concentration (in mg/l(2))	Nonwastewater Standard Concentration (in mg/kg(3) unless noted as "mg/l TCLP")
A2213(6)	30558-43-1	0.042	1.4
Acenaphthylene	208-96-8	0.059	3.4
Acenaphthene	83-32-9	0.059	3.4
Acetone	67-64-1	0.28	160
Acetonitrile	75-05-8	5.6	38
Acetophenone	96-86-2	0.010	9.7
2-Acetylaminofluorene	53-96-3	0.059	140
Acrolein	107-02-8	0.29	NA
Acrylamide	79-06-1	19	23
Acrylonitrile	107-13-1	0.24	84
Aldicarb sulfone(6)	1646-88-4	0.056	0.28
Aldrin	309-00-2	0.021	0.066
4-Aminobiphenyl	92-67-1	0.13	NA
Aniline	62-53-3	0.81	14
Anthracene	120-12-7	0.059	3.4
Aramite	140-57-8	0.36	NA
alpha-BHC	319-84-6	0.00014	0.066
beta-BHC	319-85-7	0.00014	0.066
delta-BHC	319-86-8	0.023	0.066
gamma-BHC	58-89-9	0.0017	0.066

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Carbenzadim(6)	10605-21-7	0.056	1.4
Carbofuran(6)	1563-66-2	0.006	0.14
Carbofuran phenol(6)	1563-38-8	0.056	1.4
Carbon disulfide	75-15-0	3.8	4.8 mg/l TCLP
Carbon tetrachloride	56-23-5	0.057	6.0
Carbosulfan(6)	55285-14-8	0.028	1.4
Chlordane (alpha and gamma isomers)	57-74-9	0.0033	0.26
p-Chloroaniline	106-47-8	0.46	16
Chlorobenzene	108-90-7	0.057	6.0
Chlorobenzilate	510-15-6	0.10	NA
2-Chloro-1,3-butadiene	126-99-8	0.057	0.28
Chlorodibromomethane	124-48-1	0.057	15
Chloroethane	75-00-3	0.27	6.0
bis(2-Chloro-ethoxy)methane	111-91-1	0.036	7.2
bis(2-Chloroethyl) ether	111-44-4	0.033	6.0
2-Chloroethyl vinyl ether	110-75-8	0.062	NA
Chloroform	67-66-3	0.046	6.0
bis(2-Chloroisopropyl)ether	39638-32-9	0.055	7.2
p-Chloro-m-cresol	59-50-7	0.018	14
Chloromethane (Methyl chloride)	74-87-3	0.19	30
2-Chloronaphthalene	91-58-7	0.055	5.6

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Barban(6)	101-27-9	0.056	1.4
Bendiocarb(6)	22781-23-3	0.056	1.4
Bendiocarb phenol(6)	22961-82-6	0.056	1.4
Benomyl(6)	17804-35-2	0.056	1.4
Benz(a)anthracene	56-55-3	0.059	3.4
Benzal chloride	98-87-3	0.055	6.0
Benzene	71-43-2	0.14	10
Benzo(b)fluoranthene (difficult to distinguish from benzo(k)fluoranthene)	205-99-2	0.11	6.8
Benzo(k)fluoranthene (difficult to distinguish from benzo(b)fluoranthene)	207-08-9	0.11	6.8
Benzo(g,h,i)perylene	191-24-2	0.0055	1.8
Benzo(a)pyrene	50-32-8	0.061	3.4
Bromodichloromethane	75-27-4	0.35	15
Methyl bromide (Bromo-methane)	74-83-9	0.11	15
4-Bromophenyl phenyl ether	101-55-3	0.055	15
n-Butyl alcohol	71-36-3	5.6	2.6
Butylate(6)	2008-41-5	0.042	1.4
Butyl benzyl phthalate	85-68-7	0.017	28
2-sec-Butyl-4,6-dinitro-phenol (Dinoseb)	88-85-7	0.066	2.5
Carbaryl(6)	63-25-2	0.006	0.14

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2-Chlorophenol	95-57-8 0.044 5.7	p-Dichlorobenzene	106-46-7 0.090 6.0
3-Chloropropylene	107-05-1 0.036 30	Dichlorodifluoromethane	75-71-8 0.23 7.2
Chrysene	218-01-9 0.059 3.4	1,1-Dichloroethane	75-34-3 0.059 6.0
o-Cresol	95-48-7 0.11 5.6	1,2-Dichloroethane	107-06-2 0.21 6.0
m-Cresol (difficult to distinguish from p-cresol)	108-39-4 0.77 5.6	1,1-Dichloroethylene	75-35-4 0.025 6.0
p-Cresol (difficult to distinguish from m-cresol)	106-44-5 0.77 5.6	trans-1,2-Dichloroethylene	156-60-5 0.054 30
m-Cumenyl methylcarbamate(6)	64-00-6 0.056 1.4	2,4-Dichlorophenol	120-83-2 0.044 14
Cyclohexanone	108-94-1 0.36 0.75mg/l TCLP	2,6-Dichlorophenol	87-65-0 0.044 14
o,p'-DDD	53-19-0 0.023 0.087	2,4-Dichlorophenoxyacetic acid/2,4-D	94-75-7 0.72 10
p,p'-DDD	72-54-8 0.023 0.087	1,2-Dichloropropane	78-87-5 0.85 18
o,p'-DDE	3424-82-6 0.031 0.087	cis-1,3-Dichloropropylene	10061-01-5 0.036 18
p,p'-DDE	72-55-9 0.031 0.087	trans-1,3-Dichloropropylene	10061-02-6 0.036 18
o,p'-DDT	789-02-6 0.0039 0.087	Dieldrin	60-57-1 0.017 0.13
p,p'-DDT	50-29-3 0.0039 0.087	Diethylene glycol, dicarbamate(6)	5952-26-1 0.056 1.4
Dibenz(a,h)anthracene	53-70-3 0.055 8.2	Diethyl phthalate	84-66-2 0.20 28
Dibenz(a,e)pyrene	192-65-4 0.061 NA	p-Dimethylaminoazobenzene	60-11-7 0.13 NA
1,2-Dibromo-3-chloropropane	96-12-8 0.11 15	2,4-Dimethyl phenol	105-67-9 0.036 14
1,2-Dibromoethane/Ethylene dibromide	106-93-4 0.028 15	Dimethyl phthalate	131-11-3 0.047 28
Dibromomethane	74-95-3 0.11 15	Dimetilan(6)	644-64-4 0.056 1.4
m-Dichlorobenzene	541-73-1 0.036 6.0	Di-n-butyl phthalate	84-74-2 0.057 28
o-Dichlorobenzene	95-50-91 0.088 6.0	1,4-Dinitrobenzene	100-25-4 0.32 2.3



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Ethyl ether	60-29-7	0.12	160
Ethyl methacrylate	97-63-2	0.14	160
Ethylene oxide	75-21-8	0.12	NA
bis(2-Ethylhexyl) phthalate	117-81-7	0.28	28
Famphur	52-85-7	0.017	15
Fluoranthene	206-44-0	0.068	3.4
Fluorene	86-73-7	0.059	3.4
Formetanate hydrochloride(6)	23422-53-9	0.056	1.4
Formparanate(6)	17702-57-7	0.056	1.4
Heptachlor	76-44-8	0.0012	0.066
Heptachlor epoxide	1024-57-3	0.016	0.066
Hexachlorobenzene	118-74-1	0.055	10
Hexachlorobutadiene	87-68-3	0.055	5.6
Hexachloro-cyclopentadiene	77-47-4	0.057	2.4
HxCDDs (All Hexachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
HxCDFs (All Hexachloro-dibenzofurans)	NA	0.000063	0.001
Hexachloroethane	67-72-1	0.055	30
Hexachloropropylene	1888-71-7	0.035	30
Indeno (1,2,3-c,d) pyrene	193-39-5	0.0055	3.4
Iodomethane	74-88-4	0.19	65
Isobutyl alcohol	78-83-1	5.6	170

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4,6-Dinitro-o-cresol	534-52-1	0.28	160
2,4-Dinitrophenol	51-28-5	0.12	160
2,4-Dinitrotoluene	121-14-2	0.32	140
2,6-Dinitrotoluene	606-20-2	0.55	28
Di-n-octyl phthalate	117-84-0	0.017	28
Di-n-propylnitrosamine	621-64-7	0.40	14
1,4-Dioxane	123-91-1	12.0	170
Diphenylamine (difficult to distinguish from diphenylnitrosamine)	122-39-4	0.92	13
Diphenylnitrosamine (difficult to distinguish from diphenylamine)	86-30-6	0.92	13
1,2-Diphenylhydrazine	122-66-7	0.087	NA
Disulfoton	298-04-4	0.017	6.2
Dithiocarbamates (total)(6)	137-30-4	0.028	28
Endosulfan I	959-98-8	0.023	0.066
Endosulfan II	33213-65-9	0.029	0.13
Endosulfan sulfate	1031-07-8	0.029	0.13
Endrin	72-20-8	0.0028	0.13
Endrin aldehyde	7421-93-4	0.025	0.13
EPTC(6)	759-94-4	0.042	1.4
Ethyl acetate	141-78-6	0.34	33
Ethyl benzene	100-41-4	0.057	10
Ethyl cyanide (Propanenitrile)	107-12-0	0.24	360

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Isodrin	465-73-6	0.021	0.066	
Isolan(6)	119-38-0	0.056	1.4	
Isosafrole	120-58-1	0.081	2.6	
Kepone	143-50-0	0.0011	0.13	
Methacrylonitrile	126-98-7	0.24	84	
Methanol	67-56-1	5.6	0.75 mg/l TCLP	
Methapyrilene	91-80-5	0.081	1.5	
Methiocarb(6)	2032-65-7	0.056	1.4	
Methomyl(6)	16752-77-5	0.028	0.14	
Methoxychlor	72-43-5	0.25	0.18	
3-Methylcholanthrene	56-49-5	0.0055	15	
4,4-Methylene bis(2-chloroaniline)	101-14-4	0.50	30	
Methylene chloride	75-09-2	0.089	30	
Methyl ethyl ketone	78-93-3	0.28	36	
Methyl isobutyl ketone	108-10-1	0.14	33	
Methyl methacrylate	80-62-6	0.14	160	
Methyl methansulfonate	66-27-3	0.018	NA	
Methyl parathion	298-00-0	0.014	4.6	
Metolcarb(6)	1129-41-5	0.056	1.4	
Mexacarbate(6)	315-18-4	0.056	1.4	
Molinate(6)	2212-67-1	0.042	1.4	
Naphthalene	91-20-3	0.059	5.6	
2-Naphthylamine	91-59-8	0.52	NA	
o-Nitroaniline	88-74-4	0.27	14	

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p-Nitroaniline	100-01-6	0.028	28
Nitrobenzene	98-95-3	0.068	14
5-Nitro-o-toluidine	99-55-8	0.32	28
o-Nitrophenol	88-75-5	0.028	13
p-Nitrophenol	100-02-7	0.12	29
N-Nitrosodiethylamine	55-18-5	0.40	28
N-Nitrosodimethylamine	62-75-9	0.40	2.3
N-Nitroso-di-n-butyl-amine	924-16-3	0.40	14
N-Nitrosomethylethyl-amine	10595-95-6	0.40	2.3
N-Nitrosomorpholine	59-89-2	0.40	2.3
N-Nitrosopiperidine	100-75-4	0.013	35
N-Nitrosopyrrolidine	930-55-2	0.013	35
Oxamyl(6)	23135-22-0	0.056	0.28
Parathion	56-38-2	0.014	4.6
Total PCBs (sum of all PCB isomers, or all Aroclors)	1336-36-3	0.10	10
Pebulate(6)	1114-71-2	0.042	1.4
Pentachlorobenzene	608-93-5	0.055	10
PeCDDs (All Pentachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
PeCDFs (All Pentachloro-dibenzofurans)	NA	0.000035	0.001
Pentachloroethane	76-01-7	0.055	6.0
Pentachloronitrobenzene	82-68-8	0.055	4.8

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Pentachlorophenol	87-86-5	0.089	7.4
Phenacetin	62-44-2	0.081	16
Phenanthrene	85-01-8	0.059	5.6
Phenol	108-95-2	0.039	6.2
o-Phenylenediamine(6)	95-54-5	0.056	5.6
Phorate	298-02-2	0.021	4.6
Phthalic acid	100-21-0	0.055	28
Phthalic anhydride	85-44-9	0.055	28
Physostigmine(6)	57-47-6	0.056	1.4
Physostigmine salicylate(6)	57-64-7	0.056	1.4
Promecarb(6)	2631-37-0	0.056	1.4
Pronamide	23950-58-5	0.093	1.5
Propham(6)	122-42-9	0.056	1.4
Propoxur(6)	114-26-1	0.056	1.4
Prosulfocarb(6)	52888-80-9	0.042	1.4
Pyrene	129-00-0	0.067	8.2
Pyridine	110-86-1	0.014	16
Safrole	94-59-7	0.081	22
Silvex (2,4,5-TP)	93-72-1	0.72	7.9
1,2,4,5-Tetrachloro-benzene	95-94-3	0.055	14
TCDDs (All Tetrachloro-dibenzo-p-dioxins)	NA	0.000063	0.001
TCDFs (All Tetrachloro-dibenzofurans)	NA	0.000063	0.001

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1,1,1,2-Tetrachloro-ethane	630-20-6	0.057	6.0
1,1,2,2-Tetrachloro-ethane	79-34-5	0.057	6.0
Tetrachloroethylene	127-18-4	0.056	6.0
2,3,4,6-Tetrachloro-phenol	58-90-2	0.030	7.4
Thiodicarb(6)	59669-26-0	0.019	1.4
Thiophanate-methyl(6)	23564-05-8	0.056	1.4
Tirpate(6)	26419-73-8	0.056	0.28
Toluene	108-88-3	0.080	10
Toxaphene	8001-35-2	0.0095	2.6
Triallate(6)	2303-17-5	0.042	1.4
Tribromo-methane (Bromoform)	75-25-2	0.63	15
1,2,4-Trichlorobenzene	120-82-1	0.055	19
1,1,1-Trichloroethane	71-55-6	0.054	6.0
1,1,2-Trichloroethane	79-00-5	0.054	6.0
Trichloroethylene	79-01-6	0.054	6.0
Trichloromonofluoro-methane	75-69-4	0.020	30
2,4,5-Trichlorophenol	95-95-4	0.18	7.4
2,4,6-Trichlorophenol	88-06-2	0.035	7.4
2,4,5-Trichlorophenoxy-acetic acid/2,4,5-T	93-76-5	0.72	7.9
1,2,3-Trichloropropane	96-18-4	0.85	30
1,1,2-Trichloro-1,2,2-trifluoroethane	76-13-1	0.057	30



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Triethylamine(6)	101-44-8	0.081	1.5	
tris-(2,3-Dibromopropyl) phosphate	126-72-7	0.11	0.10	
Vernolate(6)	1929-77-7	0.042	1.4	
Vinyl chloride	75-01-4	0.27	6.0	
Xylenes-mixed isomers (sum of o-, m-, and p-xylene concentrations)	1330-20-7	0.32	30	
Antimony	7440-36-0	1.9	2.1 mg/l TCLP	
Arsenic	7440-38-2	1.4	5.0 mg/l TCLP	
Barium	7440-39-3	1.2	7.6 mg/l TCLP	
Beryllium	7440-41-7	0.82	0.014 mg/l TCLP	
Cadmium	7440-43-9	0.69	0.19 mg/l TCLP	
Chromium (Total)	7440-47-3	2.77	0.86 mg/l TCLP	
Cyanides (Total)(4)	57-12-5	1.2	590	
Cyanides (Amenable)(4)	57-12-5	0.86	30	
Fluoride (5)	16984-48-8	35	NA	
Lead	7439-92-1	0.69	0.37 mg/l TCLP	
Mercury-Nonwastewater from Retort	7439-97-6	NA	0.20 mg/l TCLP	
Mercury-All Others	7439-97-6	0.15	0.025 mg/l TCLP	
Nickel	7440-02-0	3.98	5.0 mg/l TCLP	
Selenium	7782-49-2	0.82	0.16 mg/l TCLP	
Silver	7440-22-4	0.43	0.30 mg/l TCLP	
Sulfide	18496-25-8	14	NA	
Thallium	7440-28-0	1.4	0.078 mg/l TCLP	

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Vanadium(5)	7440-62-2	4.3	0.23 mg/l TCLP
Zinc(5)	7440-66-6	2.61	5.3 mg/l TCLP
1	CAS means Chemical Abstract Services. When the waste code or regulated constituents are described as a combination of a chemical with its salts or esters, the CAS number is given for the parent compound only.		
2	Concentration standards for wastewaters are expressed in mg/l are based on analysis of composite samples.		
3	Except for metals (EP or TCLP) and cyanides (total and amenable), the nonwastewater treatment standards expressed as a concentration were established, in part, based on incineration in units operated in accordance with the technical requirements of 35 Ill. Adm. Code 724.Subpart O or 35 Ill. Adm. Code 725.Subpart O or on combustion in fuel substitution units operating in accordance with applicable technical requirements. A facility may comply with these treatment standards according to provisions in 40 CFR 268.40(d). All concentration standards for nonwastewaters are based on analysis of grab samples.		
4	Both Cyanides (Total) and Cyanides (Amenable) for nonwastewaters are to be analyzed using Method 9010 or 9012, found in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods", USEPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111, with a sample size of 10 grams and a distillation time of one hour and 15 minutes.		
5	These constituents are not "underlying hazardous constituents" in characteristic wastes, according to the definition at Section 728.102(i).		
6	This footnote corresponds with note 6 to the table to 40 CFR 268.48(a), which has already expired by its own terms. This statement maintains structural consistency with the federal regulations.		

Note: NA means not applicable.

BOARD NOTE: Derived from table to 40 CFR 268.48(a) (1997).

(Source: Amended at 22 Ill. Reg. 17706, effective SEP 28 1998)

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- 703.232(f)(2)(C) Changed ending punctuation to a period
- 703.232(f)(3) Changed ending punctuation to a period
- 703.280(d)(2)(B) Added "any of the following" and colon
- 703.280(e)(2)(A)(i) Changed "below" to "of this Section," dropping the comma; changed ending comma to semicolon
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.

13) Will these amendments replace emergency amendments currently in effect?  
No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.

R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.

R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.

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## NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: RCRA Permit Program
- 2) Code citation: 35 Ill. Adm. Code 703
- 3) Section numbers:  
703.124 Amended  
703.213 Amended  
703.232 Amended  
703.280 Amended
- 4) Statutory authority: 415 ILCS 5/22.4 and 27.
- 5) Effective date of amendments: September 28, 1998
- 6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes. The existing text of Part 703 includes a number of documents incorporated by reference. However, none of those incorporations are amended by the present amendments.

8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, or repealer, including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection and copying.

9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 10128

10) Has JCAR issued a Statement of Objections to these rules? No. Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised	Revision(s)
703.232(a)	Changed "subsection" to plural "subsections"
703.232(d)(2)(A)	Changed ending punctuation to a period

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703 720 721 722 723 724 725 726 728 738. The following table briefly summarizes the federal actions in these periods:

61 Fed. Reg. 34251  
(July 1, 1996)

USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.

61 Fed. Reg. 36419  
(July 10, 1996)

USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.

61 Fed. Reg. 40520  
(August 5, 1996)

USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

61 Fed. Reg. 43927  
(August 26, 1996)

USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

61 Fed. Reg. 56631  
(November 4, 1996)

USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 C.F.R. 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

61 Fed. Reg. 59931  
(November 25, 1996)

USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

62 Fed. Reg. 1678  
(January 13, 1997)

USEPA adopted a change in name and ownership of Envirote Corp.

62 Fed. Reg. 1834  
(January 14, 1997)

USEPA amended the addresses for its Region V headquarters.

62 Fed. Reg. 1991  
(January 14, 1997)

USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

62 Fed. Reg. 6621  
(February 12, 1997)

USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

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62 Fed. Reg. 7502  
(February 19, 1997)

USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.

62 Fed. Reg. 25998  
(May 12, 1997)

USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.

62 Fed. Reg. 32452  
(June 13, 1997)

USEPA amended the hazardous waste testing and monitoring regulations.

62 Fed. Reg. 32974  
(June 17, 1997)

USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996, federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal C.F.R. correction of November 4, 1996, and the January 13, 1997, federal change in the Envirote hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

61 Fed. Reg. 34251  
(July 1, 1996)

CESQG waste rules.

62 Fed. Reg. 1834  
(January 14, 1997)

Amendments to USEPA addresses.

62 Fed. Reg. 6621  
(February 12, 1997)

Military munitions rules.

62 Fed. Reg. 25998  
(May 12, 1997)

Phase IV land disposal restriction amendments.

62 Fed. Reg. 32452  
(June 13, 1997)

Amended hazardous waste testing and monitoring rules.

Specifically, the amendments to Part 703 implement segments of the



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February 12, 1997, military munitions rules.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

- 16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agyeman, at 312-814-3620. Please refer to consolidated docket number R97-21/R98- 3/R98-5.

The full text of the Adopted Amendments begins on the next page:

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TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER b: PERMITS

PART 703  
RCRA PERMIT PROGRAM

## SUBPART A: GENERAL PROVISIONS

Section	Scope and Relation to Other Parts
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703.101	References
703.110	

## SUBPART B: PROHIBITIONS

Section	Prohibitions in General
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703.121	Specific Inclusions in Permit Program
703.123	Specific Exclusions from Permit Program
703.124	Discharges of Hazardous Waste
703.125	Reapplications
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## SUBPART C: AUTHORIZATION BY RULE AND INTERIM STATUS

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703.152	Amended Part A Application						
703.153	Qualifying for Interim Status						
703.154	Prohibitions During Interim Status						
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703.156	Interim Status Standards						
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703.158	Permits for Less Than an Entire Facility						
703.159	Closure by Removal						
703.160	Procedures for Closure Determination						

## SUBPART D: APPLICATIONS

Section

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 703.183 General Information  
 703.184 Facility Location Information  
 703.185 Groundwater Protection Information  
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 703.188 Other Information  
 703.191 Public Participation: Pre-Application Public Notice and Meeting  
 703.192 Public Participation: Public Notice of Application  
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 703.200 Specific Part B Application Information  
 703.201 Containers  
 703.202 Tank Systems  
 703.203 Surface Impoundments  
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 703.205 Incinerators that Burn Hazardous Waste  
 703.206 Land Treatment  
 703.207 Landfills  
 703.208 Boilers and Industrial Furnaces Burning Hazardous Waste  
 703.209 Miscellaneous Units  
 703.210 Process Vents  
 703.211 Equipment  
 703.212 Drip Pads  
 703.213 Air Emission Controls for Tanks, Surface Impoundments, and Containers

## SUBPART E: SHORT TERM AND PHASED PERMITS

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 703.222 Incinerator Conditions Prior to Trial Burn  
 703.223 Incinerator Conditions During Trial Burn  
 703.224 Incinerator Conditions After Trial Burn  
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## SUBPART F: PERMIT CONDITIONS OR DENIAL

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 703.240 Permit Denial  
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703.246 Reporting Requirements  
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## APPENDIX A Classification of Permit Modifications

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14289, effective October 12, 1983; amended in R83-24 at 8 Ill. Reg. 206, effective December 27, 1983; amended in R84-9 at 9 Ill. Reg. 11899, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1110, effective January 2, 1986; amended in R85-23 at 10 Ill. Reg. 13284, effective July 28, 1986; amended in R86-1 at 10 Ill. Reg. 20702, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 6121, effective December 2, 1986; amended in R86-28 at 11 Ill. Reg. 13543, effective August 4, March 24, 1987; amended in R86-46 at 11 Ill. Reg. 19383, effective November 12, 1987; amended in R87-5 at 11 Ill. Reg. 2584, effective January 15, 1988; amended in R87-26 at 12 Ill. Reg. 13069, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 447, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18477, effective November 13, 1989; amended in R89-9 at 14 Ill. Reg. 6278, effective April 16, 1990; amended in R90-2 at 14 Ill. Reg. 14492, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9616, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14554, effective September 30, 1991; amended in R91-13 at 16 Ill. Reg. 9767, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5774, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20794, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6898, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12392, effective July 29, 1994; amended in R94-5 at 18 Ill. Reg. 18316, effective December 20, 1994; amended in R95-6 at 19 Ill. Reg. 9920, effective June 27, 1995; amended at R95-20 at 20 Ill. Reg. 11225, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 553, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7632, effective April 1, 1998; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17930, effective

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## SUBPART B: PROHIBITIONS

## Section 703.124 Discharges of Hazardous Waste

a) A person is not required to obtain a RCRA permit for treatment or containment activities taken during immediate response to any of the following situations:

- 1) A discharge of a hazardous waste;
  - 2) An imminent and substantial threat of a discharge of hazardous waste;
  - 3) A discharge of a material which, when discharged, becomes a hazardous waste; or
  - 4) An immediate threat to human health, public safety, property, or the environment from the known or suspected presence of military munitions, other explosive material, or an explosive device, as determined by an explosives or munitions emergency response specialist as defined in 35 Ill. Adm. Code 720.110.
- b) Any person who continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this part for those activities.
- c) In the case of an emergency response involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years after the date of the response that identify the following: the date of the response, the responsible persons responding, the type and description of material addressed, and the disposition of the material.

BOARD NOTE-Board-Note: Derived from See 40 CFR 270.1(c)(3) (1997).7

(Source: Amended at 22 Ill. Reg. **17930**, effective **SEP 28 1998**)

## SUBPART D: APPLICATIONS

## Section 703.213 Air Emission Controls for Tanks, Surface Impoundments, and Containers

Except as otherwise provided in 35 Ill. Adm. Code 724.101, owners and operators of tanks, surface impoundments, or containers that use air emission controls in accordance with the requirements of 35 Ill. Adm. Code 724.Subpart CC shall provide the following additional information:

- a) Documentation for each floating roof cover installed on a tank subject to 35 Ill. Adm. Code 724.984(d)(1) or (d)(2) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the applicable design specifications, as listed in 35 Ill. Adm. Code 725.991(e)(1) or

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(f)(1).

- b) Identification of each container area subject to the requirements of 35 Ill. Adm. Code 724.Subpart CC and certification by the owner or operator that the requirements of this Subpart are met.
- c) Documentation for each enclosure used to control air pollutant emissions from containers in accordance with the requirements of 35 Ill. Adm. Code 724.984(d)(5) or 724.986(e)(1)(ii) that includes records for the most recent set of calculations and measurements performed by the owner or operator to verify that the enclosure meets the criteria of a permanent total enclosure, as specified in "Procedure T-Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B, incorporated by reference in 35 Ill. Adm. Code 720.111.
- d) Documentation for each floating membrane cover installed on a surface impoundment in accordance with the requirements of 35 Ill. Adm. Code 724.985(c) that includes information prepared by the owner or operator or provided by the cover manufacturer or vendor describing the cover design, and certification by the owner or operator that the cover meets the specifications listed in 35 Ill. Adm. Code 724.264.985(c)(1).
- e) Documentation for each closed-vent system and control device installed in accordance with the requirements of 35 Ill. Adm. Code 724.987 that includes design and performance information, as specified in Section 703.124(c) and (d).
- f) An emission monitoring plan for both Method 21 in 40 CFR 60, appendix A, incorporated by reference in 35 Ill. Adm. Code 720.111, and control device monitoring methods. This plan must include the following information: monitoring points, monitoring methods for control devices, monitoring frequency, procedures for documenting exceedances, and procedures for mitigating noncompliances.
- g) When an owner or operator of a facility subject to 35 Ill. Adm. Code 725.Subpart CC cannot comply with 35 Ill. Adm. Code 724.Subpart CC by the date of permit issuance, the schedule of implementation required under 35 Ill. Adm. Code 725.982.

BOARD NOTE: Derived from 40 CFR 270.27(a) (1997)(1996)77-as-amended-at 61-Fed.-Reg.-59996-11-Nov-25-1996).

(Source: Amended **SEP 28 1998** 22 Ill. Reg. **17930**, effective **SEP 28 1998**)

## SUBPART E: SHORT TERM AND PHASED PERMITS

## Section 703.232 Permits for Boilers and Industrial Furnaces Burning Hazardous Waste

- a) General. Owners and operators of new boilers and industrial furnaces (those not operating under the interim status standards of 35 Ill. Adm. Code 726.203) are subject to subsections subsection (b) through (f) of this Section. Boilers and industrial furnaces operating under



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the interim status standards of 35 Ill. Adm. Code 726.203 are subject to subsection (g) of this Section.

- b) Permit operating periods for new boilers and industrial furnaces. A permit for a new boiler or industrial furnace must specify appropriate conditions for the following operating periods:

1) Pretrial burn period. For the period beginning with initial introduction of hazardous waste and ending with initiation of the trial burn, and only for the minimum time required to bring the boiler or industrial furnace to a point of operation readiness to conduct a trial burn, not to exceed 720 hours operating time when burning hazardous waste, the Agency shall establish permit conditions in the Pretrial Burn Period ~~of the permit conditions~~, including but not limited to allowable hazardous waste feed rates and operating conditions. The Agency shall extend the duration of this operational period once, for up to 720 additional hours, at the request of the applicant when good cause is shown. The permit must be modified to reflect the extension according to Section 703.280 et seq.

A) Applicants must submit a statement, with Part B of the permit application, that suggests the conditions necessary to operate in compliance with the standards of 35 Ill. Adm. Code 726.204 through 726.207 during this period. This statement should include, at a minimum, restrictions on the applicable operating requirements identified in 35 Ill. Adm. Code 726.202(e).

B) The Agency shall review this statement and any other relevant information submitted with Part B of the permit application and specify requirements for this period sufficient to meet the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 based on the Agency's engineering judgment.

2) Trial burn period. For the duration of the trial burn, the Agency shall establish conditions in the permit for the purposes of determining feasibility of compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 and determining adequate operating conditions under 35 Ill. Adm. Code 726.202(e). Applicants shall propose a trial burn plan, prepared under subsection (c) of this Section, to be submitted with Part B of the permit application.

3) Post-trial burn period.

A) For the period immediately following completion of the trial burn, and only for the minimum period sufficient to allow sample analysis, data competition and submission of the trial burn results by the applicant, and review of the trial burn results and modification of the facility permit by the Agency to reflect the trial burn results, the Agency shall establish the operating requirements most likely to ensure compliance with the performance standards of 35 Ill. Adm.

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Code 726.204 through 726.207 based on the Agency's engineering judgment.

B) Applicants shall submit a statement, with Part B of the application, that identifies the conditions necessary to operate during this period in compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207. This statement should include, at a minimum, restrictions on the operating requirements provided by 35 Ill. Adm. Code 726.202(e).

C) The Agency shall review this statement and any other relevant information submitted with Part B of the permit application and specify requirements of this period sufficient to meet the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 based on the Agency's engineering judgment.

4) Final permit period. For the final period of operation the Agency shall develop operating requirements in conformance with 35 Ill. Adm. Code 726.202(e) that reflect conditions in the trial burn plan and are likely to ensure compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207. Based on the trial burn results, the Agency shall make any necessary modifications to the operating requirements to ensure compliance with the performance standards. The permit modification must proceed according to Section 703.280 et seq.

c) Requirements for trial burn plans. The trial burn plan must include the following information. The Agency, in reviewing the trial burn plan, shall evaluate the sufficiency of the information provided and may require the applicant to supplement this information, if necessary, to achieve the purposes of this subsection.

1) An analysis of each feed stream, including hazardous waste, other fuels, and industrial furnace feed stocks, as fired, that includes:

A) Heating value, levels of antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, silver, thallium, total chlorine/chloride, and ash; and

B) Viscosity or description of the physical form of the feed stream.

2) An analysis of each hazardous waste, as fired, including:

A) An identification of any hazardous organic constituents listed in 35 Ill. Adm. Code 721.Appendix H that are present in the feed stream, except that the applicant need not analyze for constituents listed in 721.Appendix H that would reasonably not be expected to be found in the hazardous waste. The constituents excluded from analysis must be identified and as the basis for this exclusion explained. The analysis must be conducted in accordance with analytical techniques specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", USEPA Publication

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- SW-846, as incorporated by reference at 35 Ill. Adm. Code 720.111 and Section 703.110, or their equivalent.
- B) An approximate quantification of the hazardous constituents identified in the hazardous waste, within the precision produced by the analytical methods specified in "Test Methods for the Evaluation of Solid Waste, Physical/Chemical Methods", USEPA Publication SW-846, as incorporated by reference at 35 Ill. Adm. Code 720.111 and Section 703.110, or other equivalent.
- C) A description of blending procedures, if applicable, prior to firing the hazardous waste, including a detailed analysis of the hazardous waste prior to blending, an analysis of the material with which the hazardous waste is blended, and blending ratios.
- 3) A detailed engineering description of the boiler or industrial furnace, including:
- Manufacturer's name and model number of the boiler or industrial furnace;
  - Type of boiler or industrial furnace;
  - Maximum design capacity in appropriate units;
  - Description of the feed system for the hazardous waste and, as appropriate, other fuels and industrial furnace feedstocks;
  - Capacity of hazardous waste feed system;
  - Description of automatic hazardous waste feed cutoff system(s);
  - Description of any pollution control system; and
  - Description of stack gas monitoring and any pollution control monitoring systems.
- 4) A detailed description of sampling and monitoring procedures including sampling and monitoring locations in the system, the equipment to be used, sampling and monitoring frequency, and sample analysis.
- 5) A detailed test schedule for each hazardous waste for which the trial burn is planned, including date(s), duration, quantity of hazardous waste to be burned, and other factors relevant to the Agency's decision under subsection (b)(2) of this Section.
- 6) A detailed test protocol, including, for each hazardous waste identified, the ranges of hazardous waste feed rate, and, as appropriate, the feed rates of other fuels and industrial furnace feedstocks, and any other relevant parameters that may affect the ability of the boiler or industrial furnace to meet the performance standards in 35 Ill. Adm. Code 726.204 through 726.207.
- 7) A description of and planned operating conditions for any emission control equipment that will be used.
- 8) Procedures for rapidly stopping the hazardous waste feed and

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- controlling emissions in the event of an equipment malfunction.
- 9) Such other information as the Agency finds necessary to determine whether to approve the trial burn plan in light of the purposes of this subsection and the criteria in subsection (b)(2) of this Section.
- d) Trial burn procedures.
- A trial burn must be conducted to demonstrate conformance with the standards of 35 Ill. Adm. Code 726.104 through 726.107.
  - The Agency shall approve a trial burn plan if the Agency finds that:
    - The trial burn is likely to determine whether the boiler or industrial furnace can meet the performance standards of 35 Ill. Adm. Code 726.104 through 726.107.
    - The trial burn itself will not present an imminent hazard to human health and the environment;
    - The trial burn will help the Agency to determine operating requirements to be specified under 35 Ill. Adm. Code 726.102(e); and
    - The information sought in the trial burn cannot reasonably be developed through other means.
  - The Agency shall send a notice to all persons on the facility mailing list, as set forth in 35 Ill. Adm. Code 705.161(a), and to the appropriate units of State and local government, as set forth in 35 Ill. Adm. Code 705.163(a)(5), announcing the scheduled commencement and completion dates for the trial burn. The applicant may not commence the trial burn until after the Agency has issued such notice.
    - This notice must be mailed within a reasonable time period before the trial burn. An additional notice is not required if the trial burn is delayed due to circumstances beyond the control of the facility or the Agency.
    - This notice must contain:
      - The name and telephone number of applicant's contact person;
      - The name and telephone number of the Agency regional office appropriate for the facility;
      - The location where the approved trial burn plan and any supporting documents can be reviewed and copied; and
      - An expected time period for commencement and completion of the trial burn.
  - The applicant shall submit to the Agency a certification that the trial burn has been carried out in accordance with the approved trial burn plan, and submit the results of all the determinations required in subsection (c) of this Section. The Agency shall, in the trial burn plan, require that the submission be made within 90 days after completion of the trial burn, or later if the Agency determines that a later date is acceptable.

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- 5) All data collected during any trial burn must be submitted to the Agency following completion of the trial burn.
- 6) All submissions required by this subsection must be certified on behalf of the applicant by the signature of a person authorized to sign a permit application or a report under 35 Ill. Adm. Code 702.126.
- e) Special procedures for DRE trial burns. When a DRE trial burn is required under 35 Ill. Adm. Code 726.104, the Agency shall specify (based on the hazardous waste analysis data and other information in the trial burn plan) as trial Principal Organic Hazardous Constituents (POHCs) those compounds for which destruction and removal efficiencies must be calculated during the trial burn. These trial POHCs will be specified by the Agency based on information including the Agency's estimate of the difficulty of destroying the constituents identified in the hazardous waste analysis, their concentrations or mass in the hazardous waste feed, and, for hazardous waste containing or derived from wastes listed in 35 Ill. Adm. Code 721-Subpart D, the hazardous waste organic constituent(s) identified in 35 Ill. Adm. Code 721-Appendix G as the basis for listing.
- f) Determinations based on trial burn. During each approved trial burn (or as soon after the burn as is practicable), the applicant shall make the following determinations:
  - 1) A quantitative analysis of the levels of antimony, arsenic, barium, beryllium, cadmium, chromium, lead, mercury, thallium, silver, and chlorine/chloride in the feed streams (hazardous waste, other fuels, and industrial furnace feedstocks);
  - 2) When a DRE trial burn is required under 35 Ill. Adm. Code 726.204(a):
    - A) A quantitative analysis of the trial POHCs in the hazardous waste feed;
    - B) A quantitative analysis of the stack gas for the concentration and mass emissions of the trial POHCs; and
    - C) A computation of destruction and removal efficiency (DRE), in accordance with the DRE formula specified in 35 Ill. Adm. Code 726.204(a);<sup>7</sup>
  - 3) When a trial burn for chlorinated dioxins and furans is required under 35 Ill. Adm. Code 726.204(e), a quantitative analysis of the stack gas for the concentration and mass emission rate of the 2,3,7,8-chlorinated tetra- through octa-congeners of chlorinated dibenzo-p-dioxins and furans, and a computation showing conformance with the emission standard;<sup>8</sup>
  - 4) When a trial burn for PM, metals, or HCl/Chlorine gas is required under 35 Ill. Adm. Code 726.205, 726.206(c) or (d),<sup>1</sup> or 726.207(b)(2) or (c), a quantitative analysis of the stack gas for the concentrations and mass emissions of PM, metals, or HCl and chlorine gas and computations showing conformance with the applicable emission performance standards;
  - 5) When a trial burn for DRE, metals, and HCl/Chlorine gas is

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- 6) An identification of sources of fugitive emissions and their means of control;
- 7) A continuous measurement of carbon monoxide (CO), oxygen, and, where required, hydrocarbons (HC), in the stack gas; and
- 8) Such other information as the Agency specifies as necessary to ensure that the trial burn will determine compliance with the performance standards 35 Ill. Adm. Code 726.204 through 726.207 and to establish the operating conditions required by 35 Ill. Adm. Code 726.204 through 726.207 and of determining adequate operating conditions under 35 Ill. Adm. Code 726.203, and to establish the operating conditions required by 35 Ill. Adm. Code 726.202(e) as necessary to meet those performance standards.
- g) Interim status boilers and industrial furnaces. For the purpose of determining feasibility of compliance with the performance standards of 35 Ill. Adm. Code 726.204 through 726.207 and of determining adequate operating conditions under 35 Ill. Adm. Code 726.203, applicants owning or operating existing boilers or industrial furnaces operated under the interim status standards of 35 Ill. Adm. Code 726.203 shall either prepare and submit a trial burn plan and perform a trial burn in accordance with the requirements of the Section or submit other information as specified in Section 703.208(a)(6). The Agency shall announce its intention to approve of the trial burn plan in accordance with the timing and distribution requirements of subsection (d)(3) of this Section. The contents of the notice must include: the name and telephone number of a contact person at the facility; the name and telephone number of Agency regional office appropriate for the facility; the location where the trial burn plan and any supporting documents can be reviewed and copied; and a schedule of the activities that are required prior to permit issuance, including the anticipated time schedule for agency approval of the plan and the time periods during which the trial burn would be conducted. Applicants that submit a trial burn plan and receive approval before submission of the Part B permit application shall complete the trial burn and submit the results specified in subsection (f) of this Section with the Part B permit application. If completion of this process conflicts with the date set for submission of the Part B application, the applicant shall contact the Agency to establish a later date for submission of the Part B application or the trial burn results. If the applicant submits a trial burn plan with Part B of the permit application, the trial burn must be conducted and the results submitted within a time period prior to permit issuance to be specified by the Agency.

BOARD NOTE: Derived from 40 CFR 270.66 (1996).



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(Source: Amended at 22 Ill. Reg. **17930**, effective SEP 28 1998)

## SUBPART G: CHANGES TO PERMITS

## Section 703.280 Permit Modification at the Request of the Permittee

- a) Class 1 modifications. See Section 703.281.
- b) Class 2 modifications. See Section 703.282.
- c) Class 3 modifications. See Section 703.283.
- d) Other modifications.

1) In the case of modifications not explicitly listed in Appendix A, the permittee may submit a Class 3 modification request to the Agency, or the permittee may request a determination by the Agency that the modification be reviewed and approved as a Class 1 or Class 2 modification. If the permittee requests that the modification be classified as a Class 1 or 2 modification, the permittee shall provide the Agency with the necessary information to support the requested classification.

2) The Agency shall make the determination described in subsection (d)(1), above, as promptly as practicable. In determining the appropriate class for a specific modification, the Agency shall consider the similarity of the modification to other modifications codified in Appendix A and the following criteria:

- A) Class 1 modifications ~~modification~~ apply to minor changes that keep the permit current with routine changes to the facility or its operation. These changes do not substantially alter the permit conditions or reduce the capacity of the facility to protect human health or the environment. In the case of Class 1 modifications, the Agency may require prior approval.
- B) Class 2 modifications apply to changes that are necessary to enable a permittee to respond, in a timely manner, to any of the following:
  - i) Common variations in the types and quantities of the wastes managed under the facility permit,
  - ii) Technological advances, and
  - iii) Changes necessary to comply with new regulations, where these changes can be implemented without substantially changing design specifications or management practices in the permit.
- C) Class 3 modifications substantially alter the facility or its operation.
- e) Temporary authorizations.
  - 1) Upon request of the permittee, the Agency shall, without prior public notice and comment, grant the permittee a temporary authorization in accordance with this subsection. Temporary authorizations have a term of not more than 180 days.

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## 2) Procedures.

- A) The permittee may request a temporary authorization for:
- i) Any Class 2 modification meeting the criteria in subsection (e)(3)(B), below; or
  - ii) Any Class 3 modification that meets the criteria in subsection (e)(3)(B)(i), below; or that meets the criteria in subsection (e)(3)(B)(iii) through (v), below, and provides improved management or treatment of a hazardous waste already listed in the facility permit.
- B) The temporary authorization request must include:
- i) A description of the activities to be conducted under the temporary authorization;
  - ii) An explanation of why the temporary authorization is necessary; and
  - iii) Sufficient information to ensure compliance with 35 Ill. Adm. Code 724 standards.
- C) The permittee shall send a notice about the temporary authorization request to all persons on the facility mailing list maintained by the Agency and to appropriate units of State and local governments as specified in 35 Ill. Adm. Code 705.163(a)(5). This notification must be made within seven days after submission of the authorization request.
- 3) The Agency shall approve or deny the temporary authorization as quickly as practical. To issue a temporary authorization, the Agency shall find:
- A) The authorized activities are in compliance with the standards of 35 Ill. Adm. Code 724.
  - B) The temporary authorization is necessary to achieve one of the following objectives before action is likely to be taken on a modification request:
    - i) To facilitate timely implementation of closure or corrective action activities;
    - ii) To allow treatment or storage in tanks, containers or in containment buildings in accordance with 35 Ill. Adm. Code 728;
    - iii) To prevent disruption of ongoing waste management activities;
    - iv) To enable the permittee to respond to sudden changes in the types or quantities of the wastes managed under the facility permit; or
    - v) To facilitate other changes to protect human health and the environment.
- 4) A temporary authorization shall be reissued for one additional term of up to 180 days provided that the permittee has requested a Class 2 or 3 permit modification for the activity covered in the temporary authorization, and:
- A) The reissued temporary authorization constitutes the

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Agency's decision on a Class 2 permit modification in accordance with Section 703.282(f)(1)(D) or (f)(2)(D), or

B) The Agency determines that the reissued temporary authorization involving a Class 3 permit modification request is warranted to allow the authorized activities to continue while the modification procedures of 35 Ill. Adm. Code 703.283 are conducted.

f) Public notice and appeals of permit modification decisions.

- 1) The Agency shall notify persons on the facility mailing list and appropriate units of State and local government within 10 days of any decision to grant or deny a Class 2 or 3 permit modification request. The Agency shall also notify such persons within 10 days after an automatic authorization for a Class 2 modification goes into effect under Section 703.282(f)(3) or (f)(5).
- 2) The Agency's decision to grant or deny or Class 2 or 3 permit modification request may be appealed under the permit appeal procedures of 35 Ill. Adm. Code 705.212.
- 3) An automatic authorization that goes into effect under Section 703.282(f)(3) or (f)(5) may be appealed under the permit appeal procedures of 35 Ill. Adm. Code 705.212; however, the permittee may continue to conduct the activities pursuant to the automatic authorization until the Board enters a final order on the appeal, notwithstanding the provisions of 35 Ill. Adm. Code 705.204.

g) Newly regulated wastes and units.

- 1) The permittee is authorized to continue to manage wastes listed or identified as hazardous under 35 Ill. Adm. Code 721, or to continue to manage hazardous waste in units newly regulated as hazardous waste management units, if:
  - A) The unit was in existence as a hazardous waste facility with respect to the newly listed or characterized waste or newly regulated waste management unit on the effective date of the final rule listing or identifying the waste, or regulating the unit;
  - B) The permittee submits a Class 1 modification request on or before the date on which the waste becomes subject to the new requirements;
  - C) The permittee is in compliance with the applicable standards of 35 Ill. Adm. Code 725 and 726;
  - D) The permittee also submits a complete class 2 or 3 modification request within 180 days after the effective date of the rule listing or identifying the waste, or subjecting the unit to management standards under 35 Ill. Adm. Code 724, 725 or 726; and
  - E) In the case of land disposal units, the permittee certifies that such unit is in compliance with all applicable requirements of 35 Ill. Adm. Code 725 for groundwater monitoring and financial responsibility requirements on the date 12 months after the effective date of the rule

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identifying or listing the waste as hazardous, or regulating the unit as a hazardous waste management unit. If the owner or operator fails to certify compliance with all these requirements, the owner or operator loses authority to operate under this Section.

- 2) New wastes or units added to a facility's permit under this subsection do not constitute expansions for the purpose of the 25 percent capacity expansion limit for Class 2 modifications.
- h) Military hazardous waste munitions treatment and disposal. The permittee is authorized to continue to accept waste military munitions notwithstanding any permit conditions barring the permittee from accepting off-site wastes, if:
  - 1) The facility was in existence as a hazardous waste facility and the facility was already permitted to handle the waste military munitions on the date when the waste military munitions became subject to hazardous waste regulatory requirements;
  - 2) On or before the date when the waste military munitions become subject to hazardous waste regulatory requirements, the permittee submits a Class 1 modification request to remove or amend the permit provision restricting the receipt of off-site waste munitions; and
  - 3) The permittee submits a complete Class 2 modification request within 180 days after the date when the waste military munitions became subject to hazardous waste regulatory requirements.

ih) Permit modification list. The Agency shall maintain a list of all approved permit modifications and shall publish a notice once a year in a State-wide newspaper that an updated list is available for review.

BOARD NOTE board-note: Derived from 40 CFR 270.42(d) through (i) (h) (19971998) was amended at 56 Fed. Reg. 72067-February 21-1991 and at 56 Fed. Reg. 32680-July 17-1991.

(Source: Amended 22 Ill. Reg. 17930 effective )

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Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised	Revision(s)
722.110(i)	Corrected cross-references to "725.101(c)(11)(A)(iv) or (c)(11)(D) and 35 Ill. Adm. Code 703.121(a)(4) or (c)"
722.184(a)	Changed internal self-reference from "subsections (a)(1) and (a)(2) to "this subsection (a)"

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.

13) Will these amendments replace emergency amendments currently in effect? No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.

R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.

POLLUTION CONTROL BOARD

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1) Heading of the Part: Standards Applicable To Generators Of Hazardous Waste

2) Code citation: 35 Ill. Adm. Code 722

Section numbers:	Adopted action:
722.110	Amended
722.120	Amended
722.158	Amended
722.180	Amended
722.184	Amended
722.187	Amended
Appendix A	Amended

4) Statutory authority: 415 ILCS 5/22.4 and 27.

5) Effective date of amendments: September 28, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Do these amendments contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738 and 739. The text of Part 722 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations

8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998 including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection and copying.

9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 10148

10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version: The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.



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- R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.
- The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728 and 738. The following table briefly summarizes the federal actions in these periods:
- |   |  |
|---|--|
| 61 Fed. Reg. 34251<br>(July 1, 1996)      | USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes. |
| 61 Fed. Reg. 36419<br>(July 10, 1996)     | USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.   |
| 61 Fed. Reg. 40520<br>(August 5, 1996)    | USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.  |
| 61 Fed. Reg. 43927<br>(August 26, 1996)   | USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.                            |
| 61 Fed. Reg. 56631<br>(November 4, 1996)  | USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 CFR 266.100(c)(3)(i)) due to the fact that segments were missing from the text.   |
| 61 Fed. Reg. 59931<br>(November 25, 1996) | USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).   |
| 62 Fed. Reg. 1678<br>(January 13, 1997)   | USEPA adopted a change in name and ownership of Enviro Corp.   |
| 62 Fed. Reg. 1834<br>(January 14, 1997)   | USEPA amended the addresses for its Region V headquarters.   |
| 62 Fed. Reg. 1991<br>(January 14, 1997)   | USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.  |

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- 62 Fed. Reg. 6621  
(February 12, 1997)
- USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.
- 62 Fed. Reg. 7502  
(February 19, 1997)
- USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.
- 62 Fed. Reg. 25998  
(May 12, 1997)
- USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.
- 62 Fed. Reg. 32452  
(June 13, 1997)
- USEPA amended the hazardous waste testing and monitoring regulations.
- 62 Fed. Reg. 32974  
(June 17, 1997)
- USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.
- The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal CFR correction of November 4, 1996, and the January 13, 1997, federal change in the Enviro hazardous waste delisting.
- Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:
- |  |  |
|--|--|
| 61 Fed. Reg. 34251<br>(July 1, 1996)     | CESQG waste rules.                             |
| 62 Fed. Reg. 1834<br>(January 14, 1997)  | Amendments to USEPA addresses.                 |
| 62 Fed. Reg. 6621<br>(February 12, 1997) | Military munitions rules.                      |
| 62 Fed. Reg. 25998<br>(May 12, 1997)     | Phase IV land disposal restriction amendments. |

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NOTICE OF ADOPTED AMENDMENTS  
TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS  
PART 722  
STANDARDS APPLICABLE TO  
GENERATORS OF HAZARDOUS WASTE  
SUBPART A: GENERAL

Section 722.110 722.111 722.112	Purpose, Scope and Applicability Hazardous Waste Determination USEPA Identification Numbers
Section 722.120 722.121 722.122 722.123	General Requirements Acquisition of Manifests Number of Copies Use of the Manifest
Section 722.130 722.131 722.132 722.133 722.134	Packaging Labeling Marking Placarding Accumulation Time
Section 722.140 722.141 722.142 722.143 722.144	Recordkeeping Annual Reporting Exception Reporting Additional Reporting Special Requirements for Generators of between 100 and 1000 kilograms per month
Section 722.150 722.151	Applicability Definitions

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NOTICE OF ADOPTED AMENDMENTS  
62 Fed. Reg. 32452  
(June 13, 1997)  
Amended hazardous waste testing and monitoring rules.  
Specifically, the amendments to Part 722 implement segments of the February 12, 1997, military munitions rules.  
Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these adopted amendments shall be directed to:  
Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago IL 60601  
312-814-6924  
Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agyeman, at 312-814-3620. Please refer to consolidated docket number R97-21/R98-3/R98-5.

The full text of the Adopted amendments begins on the next page:

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722.152 General Requirements  
722.153 Notification of Intent to Export  
722.154 Special Manifest Requirements  
722.155 Exception Report  
722.156 Annual Reports  
722.157 Recordkeeping  
722.158 International Agreements

## SUBPART F: IMPORTS OF HAZARDOUS WASTE

Section  
722.160 Imports of Hazardous Waste

## SUBPART G: FARMERS

Section  
722.170 Farmers

## SUBPART H: TRANSFRONTIER SHIPMENTS OF HAZARDOUS WASTE FOR RECOVERY WITHIN THE OECD

Section  
722.180 Applicability  
722.181 Definitions  
722.182 General Conditions  
722.183 Notification and Consent  
722.184 Tracking Document  
722.185 Contracts  
722.186 Provisions Relating to Recognized Traders  
722.187 Reporting and Recordkeeping  
722.189 OECD Waste Lists

## APPENDIX A Hazardous Waste Manifest

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 317, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R82-18, 51 PCB 31, at 7 Ill. Reg. 2518, effective February 22, 1983; amended in R84-9 at 9 Ill. Reg. 11950, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1131, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14112, effective August 12, 1986; amended in R86-19 at 10 Ill. Reg. 20709, effective December 2, 1986; amended in R86-46 at 11 Ill. Reg. 13555, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19392, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13129, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 452, effective December 27, 1988; amended in R89-1 at 13 Ill. Reg. 18523, effective

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November 13, 1989; amended in R90-10 at 14 Ill. Reg. 16653, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9644, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14562, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in 92-1 at 16 Ill. Reg. 17696, effective November 6, 1992; amended in R93-4 at 17 Ill. Reg. 20822, effective November 22, 1993; amended in R95-6 at 19 Ill. Reg. 9935, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11236, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 603, effective December 16, 1997; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 17950, effective

SEP 28 1998

## SUBPART A: GENERAL

## Section 722.110 Purpose, Scope and Applicability

- a) These regulations establish standards for generators of hazardous waste.
- b) 35 Ill. Adm. Code 721.105(c) and (d) must be used to determine the applicability of provisions of this Part that are dependent on calculations of the quantity of hazardous waste generated per month.
- c) A generator that treats, stores or disposes of hazardous waste on-site must only comply with the following Sections of this Part with respect to that waste: Section 722.111 for determining whether or not the generator has a hazardous waste, Section 722.112 for obtaining an USEPA identification number, Section 722.140(c) and (d) for recordkeeping, Section 722.143 for additional reporting and, if applicable, Section 722.170 for farmers.
- d) Any person that exports or imports hazardous waste subject to the hazardous waste manifesting requirements of this Part or subject to the universal waste management standards of 35 Ill. Adm. Code 733 to or from countries listed in Section 722.158(a)(1) for recovery must comply with Subpart H of this Part.
- e) This subsection corresponds with 40 CFR 262.10(e), a federal provision imposing the generator standards on a person importing hazardous waste into the United States. The regulation of international trade is a matter within the exclusive authority of the federal government. This statement maintains structural consistency with USEPA rules.
- fe) A farmer that generates waste pesticides which are hazardous waste and that complies with all of the requirements of Section 722.170 722-151 is not required to comply with other standards in this Part, or 35 Ill. Adm. Code 702, 703, 724, 725 or 728 with respect to such pesticides.
- gf) A person that generates a hazardous waste as defined by 35 Ill. Adm. Code 721 is subject to the compliance requirements and penalties prescribed in Title VIII and XII of the Environmental Protection Act if he does not comply with the requirements of this Part.
- hg) An owner or operator that initiates a shipment of hazardous waste from a treatment, storage or disposal facility must comply with the



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generator standards established in this Part.

- 1) A person responding to an explosive or munitions emergency in accordance with 35 Ill. Adm. Code 724.101(g)(8)(A)(iv) or (g)(8)(D) or 35 Ill. Adm. Code 725.101(c)(11)(A)(iv) or (c)(11)(D) and 35 Ill. Adm. Code 703.121(a)(4) or (c) is not required to comply with the standards of this Part.

BOARD NOTE: The provisions of Section 722.134 are applicable to the on-site accumulation of hazardous waste by generators. Therefore, the provisions of Section 722.134 only apply to owners or operators that are shipping hazardous waste which they generated at that facility. A generator that treats, stores or disposes of hazardous waste on-site must comply with the applicable standards and permit requirements set forth in 35 Ill. Adm. Code 702, 703, 724, 725, and 728.

(Source: Amended at 22 Ill. Reg. 17950, effective

SEP 28 1998)

## SUBPART B: THE MANIFEST

## Section 722.120 General Requirements

- a) A generator who transports, or offers for transportation, hazardous waste for offsite treatment, storage or disposal must prepare a manifest before transporting the waste off-site.
- b) A generator must designate on the manifest one facility which is permitted to handle the waste described on the manifest.
- c) A generator may also designate on the manifest one alternate facility which is permitted to handle his waste in the event an emergency prevents delivery of the waste to the primary designated facility.
- d) If the transporter is unable to deliver the hazardous waste to the designated facility or the alternate facility, the generator must either designate another facility or instruct the transporter to return the waste.
- e) The requirements of this Subpart do not apply to hazardous waste produced by generators of greater than 100 kg but less than 1000 kg in a calendar month where:
- 1) The waste is reclaimed under a contractual agreement pursuant to which:
    - A) The type of waste and frequency of shipments are specified in the agreement;
    - B) The vehicle used to transport the waste to the recycling facility and to deliver regenerated material back to the generator is owned and operated by the claimer of the waste; and
  - 2) The generator maintains a copy of the reclamation agreement in his files for a period of at least three years after termination or expiration of the agreement.
- f) The requirements of this Subpart B and Section 722.132(b) do not apply

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to the transport of hazardous wastes on a public or private right-of-way within or along the border of contiguous property under the control of the same person, even if such contiguous property is divided by a public or private right-of-way. Notwithstanding 35 Ill. Adm. Code 723.110(a), the generator or transporter shall comply with the requirements for transporters set forth in 35 Ill. Adm. Code 723.130 and 723.131 in the event of a discharge of hazardous waste on a public or private right-of-way.

(Source: Amended at 22 Ill. Reg. 17950, effective SEP 28 1998)

## SUBPART E: EXPORTS OF HAZARDOUS WASTE

## Section 722.158 International Agreements

- a) Any person that exports or imports hazardous waste subject to either the manifest requirements of this Part or the universal waste management standards of 35 Ill. Adm. Code 733 which is shipped to or from designated member countries of the Organization for Economic Cooperation and Development (OECD), as defined in subsection (a)(1) of this Section, for purposes of recovery is subject to the requirements of 722-Subpart H of this Part. The requirements of Subparts E and F of this Part do not apply where 722-Subpart H of this Part applies.

- 1) For the purposes of this Subpart, the designated OECD countries are Australia, Austria, Belgium, Denmark, Finland, France, Germany, Greece, Iceland, Ireland, Italy, Japan, Luxembourg, Netherlands, New Zealand, Norway, Portugal, Spain, Sweden, Switzerland, Turkey, the United Kingdom, and the United States.
  - 2) Only for the purposes of transit under this Subpart, Canada and Mexico are considered OECD member countries.
- b) Any person that exports hazardous waste to or imports hazardous waste from any designated OECD member country for purposes other than recovery (e.g., incineration, disposal), Mexico (for any purpose), or Canada (for any purpose) remains subject to the requirements of Subparts E and F of this Part.

(Source: Amended at 22 Ill. Reg. 17950, effective SEP 28 1998)

## SUBPART H: TRANSFRONTIER SHIPMENTS OF HAZARDOUS WASTE FOR RECOVERY WITHIN THE OECD

## Section 722.180 Applicability

- a) The requirements of this Subpart apply to imports and exports of wastes that are considered hazardous under U.S. national procedures and which are destined for recovery operations in any of the countries

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listed in Section 722.158(a)(1). A waste is considered hazardous under U.S. national procedures if it meets the definition of hazardous waste in 35 Ill. Adm. Code 721.103 and it is subject to either the manifesting requirements in Subpart B of this Part or to the universal waste management standards of 35 Ill. Adm. Code 733.

- b) Any person (notifier, consignee, or recovery facility operator) that mixes two or more wastes (including hazardous and non-hazardous wastes) or otherwise subjects two or more wastes (including hazardous and non-hazardous wastes) to physical or chemical transformation operations, and thereby creates a new hazardous waste, becomes a generator and assumes all subsequent generator duties under this Subchapter and any notifier duties under this Subpart, as applicable.

(Source: Amended at 22 Ill. Reg. **17950**, effective **SEP 28 1998**)

## Section 722.184 Tracking Document

- a) All U.S. parties subject to the contract provisions of Section 722.185 must ensure that a tracking document meeting the conditions of subsection (b) of this Section accompanies each transfrontier shipment of wastes subject to amber-list or red-list controls from the initiation of the shipment until it reaches the final recovery facility, including cases in which the waste is stored or exchanged by the consignee prior to shipment to the final recovery facility, except as provided in this subsection (a) Section-263-184(a)(1)-and-(a)(2).

- 1) For shipments of hazardous waste within the U.S. solely by water (bulk shipments only), the generator must forward the tracking document with the manifest to the last water (bulk shipment) transporter to handle the waste in the U.S. if exported by water (in accordance with the manifest routing procedures at Section 722.123(c)).

- 2) For rail shipments of hazardous waste within the U.S. which originate at the site of generation, the generator must forward the tracking document with the manifest (in accordance with the routing procedures for the manifest in Section 722.123(d)) to the next non-rail transporter, if any, or the last rail transporter to handle the waste in the U.S. if exported by rail.

- b) The tracking document must include all information required under Section 722.183 (for notification) and the following:

- 1) The date shipment commenced;
- 2) The name (if not notifier), address, and telephone and telefax numbers of primary exporter;
- 3) The company name and USEPA identification number of all transporters;
- 4) Identification (license, registered name or registration number) of means of transport, including types of packaging;
- 5) Any special precautions to be taken by transporters;

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- 6) A certification or declaration signed by notifier that no objection to the shipment has been lodged as follows:

"I certify that the above information is complete and correct to the best of my knowledge. I also certify that legally-enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantees are or shall be in force covering the transfrontier movement, and that:"

"1. All necessary consents have been received;" OR

"2. The shipment is directed at a recovery facility within the OECD area and no objection has been received from any of the concerned countries within the 30 day tacit consent period;"

OR

"3. The shipment is directed at a recovery facility pre-authorized for that type of waste within the OECD area, such an authorization has not been revoked, and no objection has been received from any of the concerned countries."

(delete sentences that are not applicable)

"Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_, and \_\_\_\_\_

- 7) The appropriate signatures for each custody transfer (e.g., transporter, consignee, and owner or operator of the recovery facility).

- c) Notifiers also must comply with the special manifest requirements of Section 722.154(a), (b), (c), (e), and (i) and consignees must comply with the import requirements of Subpart F of this Part.

- d) Each U.S. person that has physical custody of the waste from the time the movement commences until it arrives at the recovery facility must sign the tracking document (e.g., transporter, consignee, and owner or operator of the recovery facility).

- e) Within three working days after the receipt of imports subject to this Subpart, the owner or operator of the U.S. recovery facility must send signed copies of the tracking document to the notifier, to the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), Environmental Protection Agency, 401 M St., SW., Washington, DC 20460, and to the competent authorities of the exporting and transit countries.

(Source: Amended at 22 Ill. Reg. **17950**, effective **SEP 28 1998**)

Section 722.187 Reporting and Recordkeeping

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a) Annual reports. For all waste movements subject to this Subpart, persons (e.g., notifiers, recognized traders) that meet the definition of primary exporter in Section 722.151 shall file an annual report with the Office of Enforcement and Compliance Assurance, Office of Compliance, Enforcement Planning, Targeting and Data Division (2222A), U.S. Environmental Protection Agency, 401 M St., SW., Washington, DC 20460 and the Illinois Environmental Protection Agency, Bureau of Land, Division of Land Pollution Control, P.O. Box 19276, Springfield, IL 62794 62786-9276, no later than March 1 of each year summarizing the types, quantities, frequency, and ultimate destination of all such hazardous waste exported during the previous calendar year. (If the primary exporter is required to file an annual report for waste exports that are not covered under this Subpart, the person filing may include all export information in one report provided the following information on exports of waste destined for recovery within the designated OECD member countries is contained in a separate Section). Such reports shall include the following information:

- 1) The USEPA identification number, name, and mailing and site address of the notifier filing the report;
- 2) The calendar year covered by the report;
- 3) The name and site address of each final recovery facility;
- 4) By final recovery facility, for each hazardous waste exported, a description of the hazardous waste, the USEPA hazardous waste number (from 35 Ill. Adm. Code 721.Subpart C or 721.Subpart D), the designation of waste type(s) from the OECD waste list and applicable waste code from the OECD lists, DOT hazard class, the name and USEPA identification number (where applicable) for each transporter used, the total amount of hazardous waste shipped pursuant to this Subpart, and number of shipments pursuant to each notification;
- 5) In even numbered years, for each hazardous waste exported, except for hazardous waste produced by exporters of greater than 100 kilograms (kg) but less than 1000 kg in a calendar month, and except for hazardous waste for which information was already provided pursuant to Section 722.141:
  - A) A description of the efforts undertaken during the year to reduce the volume and toxicity of waste generated; and
  - B) A description of the changes in volume and toxicity of the waste actually achieved during the year in comparison to previous years to the extent such information is available for years prior to 1984; and
- 6) A certification signed by the person acting as primary exporter that states as follows:
 

"I certify under penalty of law that I have personally examined and am familiar with the information submitted in this and all attached documents, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true,

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment."

b) Exception reports. Any person that meets the definition of primary exporter in Section 722.151 shall file with USEPA and the Agency an exception report in lieu of the requirements of Section 722.142 if any of the following occurs:

- 1) The person has not received a copy of the tracking documentation signed by the transporter stating point of departure of the waste from the United States within 45 days from the date it was accepted by the initial transporter;
  - 2) Within 90 days from the date the waste was accepted by the initial transporter, the notifier has not received written confirmation from the recovery facility that the hazardous waste was received; or
  - 3) The waste is returned to the United States.
- c) Recordkeeping.

1) Persons that meet the definition of primary exporter in Section 722.151 shall keep the following records:

- A) A copy of each notification of intent to export and all written consents obtained from the competent authorities of concerned countries, for a period of at least three years from the date the hazardous waste was accepted by the initial transporter;
  - B) A copy of each annual report, for a period of at least three years from the due date of the report; and
  - C) A copy of any exception reports and a copy of each confirmation of delivery (i.e., tracking documentation) sent by the recovery facility to the notifier, for at least three years from the date the hazardous waste was accepted by the initial transporter or received by the recovery facility, whichever is applicable.
- 2) The periods of retention referred to in this Section are extended automatically during the course of any unresolved enforcement action regarding the regulated activity or as requested by USEPA or the Agency.

17950

(Source: Am SEP 28 1998 22 Ill. Reg. 17950, effective \_\_\_\_\_)



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## Section 722.APPENDIX A Hazardous Waste Manifest

The Board incorporates by reference 40 CFR 262, Appendix (1997-1998) ~~as-amended at--53--Fed.--Reg.--45098--November--87--1988~~. This Part incorporates no later amendments or editions. The Agency shall prepare manifest forms based on 40 CFR 262, Appendix, with such changes as are necessary under Illinois law.

(Source: Amended at 22 Ill. Reg. ~~17950~~ effective ~~SEP 28 1998~~)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Standards Applicable To Transporters of Hazardous Waste

2) Code citation: 35 Ill. Adm. Code 723

3) Section numbers: Adopted Action:  
723.110 Amended

4) Statutory authority: 415 ILCS 5/22.4 and 27.

5) Effective date of amendments: September 28, 1998

6) Does this rulemaking contain an automatic repeal date?: No

7) Do these amendments contain incorporations by reference? No

Although Part 723 includes incorporations by reference, none of the existing text that is involved in this proceeding includes an incorporation by reference.

8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection and copying.

9) Notice of proposal published in Illinois Register:

June 12, 1998, 22 Ill. Reg. 10163

10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

11) Differences between proposal and final version:

The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised

Revision(s)

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 723.110(e) Corrected cross-references to "725.101(c)(11)(A)(iv) or (c)(11)(D) and 35 Ill. Adm. Code 703.121(a)(4) or (c)"
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR?
- Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.

- 13) Will these amendments replace emergency amendments currently in effect? No

- 14) Are there any other amendments pending on this Part? No

- 15) Summary and purpose of amendments:

A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

- R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.
- R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.
- R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997. The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724, 725, 726, 728 and 738. The following table briefly summarizes the federal actions

## POLLUTION CONTROL BOARD

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in these periods:

USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.

USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.

USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 C.F.R. 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

USEPA adopted a change in name and ownership of Enviro Corp.

USEPA amended the addresses for its Region V headquarters.

USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.

USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.

USEPA amended the hazardous waste testing and monitoring regulations.

USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal CFR correction of November 4, 1996, and the January 13, 1997, federal change in the Enviroite hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

61 Fed. Reg. 34251 (July 1, 1996)	CESQG waste rules.
62 Fed. Reg. 1834 (January 14, 1997)	Amendments to USEPA addresses.
62 Fed. Reg. 6621 (February 12, 1997)	Military munitions rules.
62 Fed. Reg. 25998 (May 12, 1997)	Phase IV land disposal restriction amendments.
62 Fed. Reg. 32452 (June 13, 1997)	Amended hazardous waste testing and monitoring rules.

Specifically, the amendments to Part 723 implement segments of the February 12, 1997, military munitions rules.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agyeman, at 312-814-3620. Please refer to consolidated docket number R97-21/R98- 3/R98-5.

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

The full text of the Adopted Amendments begins on the next page:



POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION  
SUBTITLE G: WASTE DISPOSAL  
CHAPTER I: POLLUTION CONTROL BOARD  
SUBCHAPTER c: HAZARDOUS WASTE OPERATING REQUIREMENTS

PART 723  
STANDARDS APPLICABLE TO  
TRANSPORTERS OF HAZARDOUS WASTE  
SUBPART A: GENERAL

Section  
723.110 Scope  
723.111 USEPA Identification Number  
723.112 Transfer Facility Requirements

SUBPART B: COMPLIANCE WITH THE MANIFEST  
SYSTEM AND RECORDKEEPING

Section  
723.120 The Manifest System  
723.121 Compliance with the Manifest  
723.122 Recordkeeping

SUBPART C: HAZARDOUS WASTE DISCHARGES

Section  
723.130 Immediate Action  
723.131 Discharge Clean Up

AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

SOURCE: Adopted in R81-22, 43 PCB 427, at 5 Ill. Reg. 9781, effective May 17, 1982; amended and codified in R81-22, 45 PCB 17, at 6 Ill. Reg. 4828, effective May 17, 1982; amended in R84-9, at 9 Ill. Reg. 11961, effective July 24, 1985; amended in R86-19, at 10 Ill. Reg. 20718, effective December 2, 1986; amended in R86-46 at 11 Ill. Reg. 13570, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19412, effective November 12, 1987; amended in R95-6 at 19 Ill. Reg. 9945, effective June 27, 1995; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 5997, effective December 16, 1997; amended in R97-21/98-3/98-5 at 22 Ill. Reg. 17965, effective SEP 28 1998

SUBPART A: GENERAL

Section 723.110 Scope

a) These regulations establish standards which apply to persons

POLLUTION CONTROL BOARD

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transporting hazardous waste into, out of or through Illinois if the transportation requires a manifest under 35 Ill. Adm. Code 722. These regulations do not apply to on-site transportation of hazardous waste by generators or by owners or operators of permitted hazardous waste management facilities.

c) A transporter of hazardous waste must also comply with 35 Ill. Adm. Code 722, "Standards Applicable to Generators of Hazardous Waste", if he:

- 1) Transports hazardous waste into the United States from abroad; or
- 2) Mixes hazardous waste of different DOT shipping descriptions by placing them into a single container.

BOARD NOTE: Transporters that store hazardous waste are required to comply with the storage standards in 35 Ill. Adm. Code 724 and 725 and the permit requirements of 40 CFR 122.

d) A transporter of hazardous waste subject to the manifesting requirements of 35 Ill. Adm. Code 722 or the waste management standards of 35 Ill. Adm. Code 733 that is being imported from or exported to any of the countries listed in 35 Ill. Adm. Code 722.158(a)(1) for purposes of recovery is subject to this Subpart and to all other relevant requirements of 35 Ill. Adm. Code 722.Subpart H, including, but not limited to, 35 Ill. Adm. Code 722.184 for tracking documents.

e) The regulations in this Part do not apply to transportation during an explosives or munitions emergency response, conducted in accordance with 35 Ill. Adm. Code 724.101(g)(8)(A)(iv) or (g)(8)(D) or 35 Ill. Adm. Code 725.101(c)(11)(A)(iv) or (c)(11)(D), and 35 Ill. Adm. Code 703.121 or (C).

f) 35 Ill. Adm. Code 726.303 identifies how the requirements of this Part apply to military munitions classified as solid waste under 35 Ill. Adm. Code 726.302.

(Source: Amended 17965 effective

SEP 28 1998

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- 1) Heading of the Part: Standards For Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities

- 2) Code citation: 35 Ill. Adm. Code 724

Section numbers:	Adopted Action
724.101	Amended
724.170	Amended
724.298	Amended
724.933	Amended
724.934	Amended
724.950	Amended
724.963	Amended
724.964	Amended
724.980	Amended
724.984	Amended
724.990	Amended
724.1200	Added
724.1201	Added
724.1202	Added
724.Appendix I	Amended

- 4) Statutory authority: 415 ILCS 5/22.4 and 27.

- 5) Effective date of amendments: September 28, 1998

- 6) Does this rulemaking contain an automatic repeal date?: No

- 7) Do these amendments contain incorporations by reference? Yes

35 Ill. Adm. Code 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738, and 739. The text of Part 724 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations

- 8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, including any material incorporated by reference, is on file in the Board's principal office and is available for public inspection and copying.

- 9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 10170

- 10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5

## POLLUTION CONTROL BOARD

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ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version:

The following table indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

Revisions to the Text of the Proposed Amendments in Final Adoption

Section Revised	Revision(s)
724.101(g)(8)(A)	Changed "below" to "of this Section"
724.101(g)(8)(A)(iv)	Changed to plural "munitions"
724.101(g)(8)(C)	Changed "above" to "of this Section"
724.933(e)(2)	Changed equation from italic to standard text front;
	corrected indent level
724.933(e)(4)	Changed equation from italic to standard text front;
	removed parentheses from numerator; corrected indent level
724.933(f)(2)(A)	Changed "%" to "percent"
724.933(f)(2)(B)	Changed "%" to "percent"
724.933(f)(2)(D)	Changed "%" to "percent"
724.933(f)(2)(F)(ii)	Changed "%" to "percent"
724.933(h)(1)	Changed "%" to "percent"
724.933(n)(2)(A)	Changed ending punctuation to a semicolon
724.933(n)(3)(A)	Changed ending punctuation to a semicolon
724.934(c)(1)(D)	Changed equation from italic to standard text front;
	corrected indent level
724.950(b)	Changed "%" to "percent"
724.950(f)	Changed "%" to "percent"
724.963(c)(1)	Changed "above" to "of this Section"
724.963(e)	Changed "above" to "of this Section"
724.963(f)	Changed "above" to "of this Section"
724.964(g)(6)	Changed "%" to "percent"
724.980(b)(5)	Capitalized "State"
724.984(e)(1)(C)(iii)	Changed "%" to "percent"
724.984(e)(3)(A)	Changed "%" to "percent"
724.984(f)(1)(C)(v)	Changed "%" to "percent"
724.1200 Board Note	Changed references to "724.Subpart" to "Subpart" (three times)
	Removed unnecessary comma before "that"
724.1201(a)	

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- 724.1201(c) Changed references to "724.Subpart" to "Subpart" (twice)  
 724.1201(e) Removed redundant "inventoried"  
 724.1202(a) Capitalized "Subpart"

12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.

13) Will these amendments replace emergency amendments currently in effect?  
 No

14) Are there any other amendments pending on this Part? No

15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.

This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:

R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.

R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.

R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.

The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703 720 721 722 723 724 725 726 728 738. The following table briefly summarizes the federal actions

POLLUTION CONTROL BOARD

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in these periods:

61 Fed. Reg. 34251  
 (July 1, 1996)

61 Fed. Reg. 36419  
 (July 10, 1996)

61 Fed. Reg. 40520  
 (August 5, 1996)

61 Fed. Reg. 43927  
 (August 26, 1996)

61 Fed. Reg. 56631  
 (November 4, 1996)

61 Fed. Reg. 59931  
 (November 25, 1996)

62 Fed. Reg. 1678  
 (January 13, 1997)

62 Fed. Reg. 1834  
 (January 14, 1997)

62 Fed. Reg. 1991  
 (January 14, 1997)

62 Fed. Reg. 6621  
 (February 12, 1997)

62 Fed. Reg. 7502  
 (February 19, 1997)

62 Fed. Reg. 25998  
 (May 12, 1997)

62 Fed. Reg. 32452  
 (June 13, 1997)

62 Fed. Reg. 32974  
 (June 17, 1997)

USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.  
 USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.  
 USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 C.F.R. 266.100(c)(3)(1)) due to the fact that segments were missing from the text.

USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

USEPA adopted a change in name and ownership of Enviroite Corp.

USEPA amended the addresses for its Region V headquarters.

USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.

USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.

USEPA amended the hazardous waste testing and monitoring regulations.

USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.



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The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-3/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal CFR correction of November 4, 1996, and the January 13, 1997, federal change in the Enviroite hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

61 Fed. Reg. 34251      CHSQG waste rules.  
(July 1, 1996)  
62 Fed. Reg. 1834      Amendments to USEPA addresses.

(January 14, 1997)  
62 Fed. Reg. 6621      Military munitions rules.  
(February 12, 1997)

62 Fed. Reg. 25998      Phase IV land disposal restriction amendments.  
(May 12, 1997)  
62 Fed. Reg. 32452      Amended hazardous waste testing and monitoring  
(June 13, 1997)      rules.

Specifically, the amendments to Part 724 implement segments of the February 12, 1997, military munitions rules and the June 13, 1997, hazardous waste testing and monitoring amendments.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago, IL 60601  
312-814-6924

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

Request copies of the Board's opinion and order of August 20, 1998, from Victoria Agyeman at 312-814-3620. Please refer to consolidated docket number R97-21/R98- 3/R98-5.

The full text of the adopted amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

## TITLE 35: ENVIRONMENTAL PROTECTION

## SUBTITLE G: WASTE DISPOSAL

## CHAPTER I: POLLUTION CONTROL BOARD

## SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 724

STANDARDS FOR OWNERS AND OPERATORS OF  
HAZARDOUS WASTE TREATMENT, STORAGE, AND DISPOSAL FACILITIES

## SUBPART A: GENERAL PROVISIONS

Section  
724.101  
724.103

Purpose, Scope and Applicability  
Relationship to Interim Status Standards

## SUBPART B: GENERAL FACILITY STANDARDS

Section  
724.110  
724.111

Applicability  
Identification Number  
Required Notices  
General Waste Analysis  
Security

724.114  
724.115  
724.116

General Inspection Requirements  
Personnel Training

724.117  
724.118  
724.119

General Requirements for Ignitable, Reactive or Incompatible Wastes  
Location Standards  
Construction Quality Assurance Program

## SUBPART C: PREPAREDNESS AND PREVENTION

Section  
724.130  
724.131

Applicability  
Design and Operation of Facility  
Required Equipment

724.132  
724.133  
724.134

Testing and Maintenance of Equipment  
Access to Communications or Alarm System  
Required Aisle Space

724.135  
724.137

Arrangements with Local Authorities

## SUBPART D: CONTINGENCY PLAN AND EMERGENCY PROCEDURES

Section  
724.150  
724.151

Applicability

724.152  
724.153  
724.154

Purpose and Implementation of Contingency Plan  
Content of Contingency Plan  
Copies of Contingency Plan  
Amendment of Contingency Plan

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724.155  
724.156

Emergency Coordinator  
Emergency Procedures

## SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

Section  
724.170  
724.171  
724.172  
724.173  
724.174  
724.175  
724.176  
724.177

Applicability  
Use of Manifest System  
Manifest Discrepancies  
Operating Record  
Availability, Retention and Disposition of Records  
Annual Report  
Unmanifested Waste Report  
Additional Reports

## SUBPART F: RELEASES FROM SOLID WASTE MANAGEMENT UNITS

Section  
724.190  
724.191  
724.192  
724.193  
724.194  
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724.200  
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Applicability  
Required Programs  
Groundwater Protection Standard  
Hazardous Constituents  
Concentration Limits  
Point of Compliance  
Compliance Period  
General Groundwater Monitoring Requirements  
Detection Monitoring Program  
Compliance Monitoring Program  
Corrective Action Program  
Corrective Action for Solid Waste Management Units

## SUBPART G: CLOSURE AND POST-CLOSURE

Section  
724.210  
724.211  
724.212  
724.213  
724.214  
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724.218  
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724.220

Applicability  
Closure Performance Standard  
Closure Plan; Amendment of Plan  
Closure; Time Allowed For Closure  
Disposal or Decontamination of Equipment, Structures and Soils  
Certification of Closure  
Survey Plat  
Post-closure Care and Use of Property  
Post-closure Plan; Amendment of Plan  
Post-closure Notices  
Certification of Completion of Post-closure Care

## SUBPART H: FINANCIAL REQUIREMENTS

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## APPENDIX E Examples of Potentially Incompatible Waste

## APPENDIX I Groundwater Monitoring List

**AUTHORITY:** Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

**SOURCE:** Adopted in R82-19, 53 PCB 131, at 7 Ill. Reg. 14059, effective October 12, 1983; amended in R84-9 at 9 Ill. Reg. 11964, effective July 24, 1985; amended in R85-22 at 10 Ill. Reg. 1136, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14119, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6138, effective March 24, 1987; amended in R86-28 at 11 Ill. Reg. 8684, effective April 21, 1987; amended in R86-46 at 11 Ill. Reg. 13577, effective August 4, 1987; amended in R87-5 at 11 Ill. Reg. 19397, effective November 12, 1987; amended in R87-39 at 12 Ill. Reg. 13135, effective July 29, 1988; amended in R88-16 at 13 Ill. Reg. 458, effective December 28, 1988; amended in R89-1 at 13 Ill. Reg. 18527, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14511, effective August 22, 1990; amended in R90-10 at 14 Ill. Reg. 16658, effective September 25, 1990; amended in R90-11 at 15 Ill. Reg. 9654, effective June 17, 1991; amended in R91-1 at 15 Ill. Reg. 14572, effective October 1, 1991; amended in R91-13 at 16 Ill. Reg. 9833, effective June 9, 1992; amended in R92-1 at 16 Ill. Reg. 17702, effective November 6, 1992; amended in R92-10 at 17 Ill. Reg. 5806, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20830, effective November 22, 1993; amended in R93-16 at 18 Ill. Reg. 6973, effective April 26, 1994; amended in R94-7 at 18 Ill. Reg. 12487, effective July 29, 1994; amended in R94-17 at 18 Ill. Reg. 17601, effective November 23, 1994; amended in R95-6 at 19 Ill. Reg. 9951, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11244, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 636, effective December 16, 1997; amended in R98-12 at 22 Ill. Reg. 7638, effective April 15, 1998; amended

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in R97-21/R98-3/R98-5 at 22 Ill. Reg. **17972**, effective

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**NOTE:** In this Part, superscript numbers or letters are denoted by parentheses; subscript are denoted by brackets.

## SUBPART A: GENERAL PROVISIONS

## Section 724.101 Purpose, Scope and Applicability

- a) The purpose of this Part is to establish minimum standards that define the acceptable management of hazardous waste.
- b) The standards in this Part apply to owners and operators of all facilities that treat, store, or dispose of hazardous waste, except as specifically provided otherwise in this Part or 35 Ill. Adm. Code 721. The requirements of this Part apply to a person disposing of hazardous waste by means of ocean disposal subject to a permit issued under the Marine Protection, Research and Sanctuaries Act (16 U.S.C. 1431-1434, 33 U.S.C. 1401) only to the extent they are included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141. A "RCRA permit" is a permit required by Section 21(f) of the Environmental Protection Act and 35 Ill. Adm. Code 703.121.

**BOARD NOTE:** This Part does apply to the treatment or storage of hazardous waste before it is loaded onto an ocean vessel for incineration or disposal at sea.

- d) The requirements of this Part apply to a person disposing of hazardous waste by means of underground injection subject to a permit issued by the Agency pursuant to Section 12(g) of the Environmental Protection Act only to the extent they are required by 35 Ill. Adm. Code 704.Subpart F.

**BOARD NOTE:** This Part does apply to the above-ground treatment or storage of hazardous waste before it is injected underground.

- e) The requirements of this Part apply to the owner or operator of a POTW (publicly owned treatment works) that treats, stores, or disposes of hazardous waste only to the extent included in a RCRA permit by rule granted to such a person under 35 Ill. Adm. Code 703.141.

- f) This subsection corresponds with 40 CFR 264.1(f), which provides that the federal regulations do not apply to T/S/D activities in authorized states, except under limited, enumerated circumstances. This statement maintains structural consistency with USEPA rules.

The requirements of this Part do not apply to:

- g) 1) The owner or operator of a facility permitted by the Agency under Section 21 of the Environmental Protection Act to manage municipal or industrial solid waste, if the only hazardous waste the facility treats, stores, or disposes of is excluded from regulation under this Part by 35 Ill. Adm. Code 721.105.

**BOARD NOTE:** The owner or operator may be subject to 35 Ill. Adm. Code 807 and may have to have a supplemental permit under 35 Ill.

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- Adm. Code 807.210.
- 2) The owner or operator of a facility managing recyclable materials described in 35 Ill. Adm. Code 721.106(a)(2) through (a)(4) (except to the extent that requirements of this Part are referred to in 35 Ill. Adm. Code 726.Subparts C, F, G, or H or 35 Ill. Adm. Code 739).
  - 3) A generator accumulating waste on-site in compliance with 35 Ill. Adm. Code 722.134.
  - 4) A farmer disposing of waste pesticides from the farmer's own use in compliance with 35 Ill. Adm. Code 722.170.
  - 5) The owner or operator of a totally enclosed treatment facility, as defined in 35 Ill. Adm. Code 720.110.
  - 6) The owner or operator of an elementary neutralization unit or a wastewater treatment unit, as defined in 35 Ill. Adm. Code 720.110, provided that if the owner or operator is diluting hazardous ignitable (D001) wastes (other than the D001 High TOC Subcategory defined in 35 Ill. Adm. Code 728-Table T) or reactive (D003) waste to remove the characteristic before land disposal, the owner or operator must comply with the requirements set out in Section 724.117(b).
  - 7) This subsection corresponds with 40 CFR 264.1(g)(7), reserved by USEPA. This statement maintains structural consistency with USEPA rules.
  - 8) Immediate response:
    - A) Except as provided in subsection (g)(8)(B) of this Section below, a person engaged in treatment or containment activities during immediate response to any of the following situations:
      - i) A discharge of a hazardous waste;
      - ii) An imminent and substantial threat of a discharge of hazardous waste;
      - iii) A discharge of a material that becomes a hazardous waste when discharged; or
      - iv) An immediate threat to human health, public safety, property, or the environment from the known or suspected presence of military munitions. Other explosive material, or an explosive device, as determined by an explosives or munitions emergency response specialist as defined in 35 Ill. Adm. Code 720.110.
    - B) An owner or operator of a facility otherwise regulated by this Part must comply with all applicable requirements of 724.Subparts C and D.
    - C) Any person that is covered by subsection (g)(8)(A) of this Section above and that continues or initiates hazardous waste treatment or containment activities after the immediate response is over is subject to all applicable requirements of this Part and 35 Ill. Adm. Code 702, 703,

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- and 705 for those activities.
- D) In the case of an explosives or munitions emergency response, if a federal, state, or local official acting within the scope of his or her official responsibilities or an explosives or munitions emergency response specialist determines that immediate removal of the material or waste is necessary to protect human health or the environment, that official or specialist may authorize the removal of the material or waste by transporters who do not have USPPA identification numbers and without the preparation of a manifest. In the case of emergencies involving military munitions, the responding military emergency response specialist's organizational unit shall retain records for three years identifying the dates of the response, the responsible persons responding, the type and description of material addressed, and its disposition.
  - 9) A transporter storing manifested shipments of hazardous waste in containers meeting the requirements of 35 Ill. Adm. Code 722.130 at a transfer facility for a period of ten days or less.
  - 10) The addition of absorbent materials to waste in a container (as defined in 35 Ill. Adm. Code 720) or the addition of waste to absorbent material in a container, provided these actions occur at the time waste is first placed in the container, and Sections 724.117(b), 724.271, and 724.272 are complied with.
  - 11) A universal waste handler or universal waste transporter (as defined in 35 Ill. Adm. Code 720.110) that handles any of the wastes listed below is subject to regulation under 35 Ill. Adm. Code 733 when handling the following universal wastes:
    - A) Batteries, as described in 35 Ill. Adm. Code 733.102;
    - B) Pesticides, as described in 35 Ill. Adm. Code 733.103;
    - C) Thermostats, as described in 35 Ill. Adm. Code 733.104; and
    - D) Mercury-containing lamps, as described in 35 Ill. Adm. Code 733.107.
- BOARD NOTE: Subsection (g)(11)(D) of this Section was added pursuant to Section 22.23a of the Act [415 ILCS 5/22.23a] (see P.A. 90-502, effective August 19, 1997).
- h) This Part applies to owners and operators of facilities that treat, store, or dispose of hazardous wastes referred to in 35 Ill. Adm. Code 728.
  - i) 35 Ill. Adm. Code 726.505 identifies when the requirements of this Part apply to the storage of military munitions classified as solid waste under 35 Ill. Adm. Code 726.302. The treatment and disposal of hazardous waste military munitions are subject to the applicable permitting, procedural, and technical standards in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728.

(Source: Amended at 22 Ill. Reg. \_\_\_\_\_, effective

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## SUBPART E: MANIFEST SYSTEM, RECORDKEEPING AND REPORTING

## Section 724.170 Applicability

The regulations in this Subpart apply to owners and operators of both on-site and off-site facilities, except as Section 724.101 provides otherwise. Sections 724.171, 724.172 and 724.176 do not apply to owners and operators of on-site facilities that do not receive any hazardous waste from off-site sources, nor do they apply to owners and operators of off-site facilities with respect to waste military munitions exempted from manifest requirements under 35 Ill. Adm. Code 726.303(a). Section 724.173(b) only applies to permittees which treat, store or dispose of hazardous wastes on-site where such wastes were generated.

(Source: Amended at 22 Ill. Reg. 17972, effective SEP 28 1998)

## SUBPART J: TANK SYSTEMS

## Section 724.298 Special Requirements for Ignitable or Reactive Waste

a) Ignitable or reactive waste must not be placed in a tank systems unless:

- 1) The waste is treated, rendered or mixed before or immediately after placement in the tank system so that:
    - A) The resulting waste, mixture or dissolved material no longer meets the definition of ignitable or reactive waste under 35 Ill. Adm. Code 721.121 or 721.123, and
    - B) Section 724.117(b) is complied with; or
  - 2) The waste is stored or treated in such a way that it is protected from any material or conditions which may cause the waste to ignite or react; or
  - 3) The tank is used solely for emergencies.
- b) The owner or operator of a facility where ignitable or reactive waste is stored or treated in a tank must comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys or an adjoining property line that can be built upon as required in tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code," NFPA 30, incorporated by reference, in 35 Ill. Adm. Code 720.111).

(Source: Amended at 22 Ill. Reg. 17972, effective SEP 28 1998)

## SUBPART AA: AIR EMISSION STANDARDS FOR PROCESS VENTS

## Section 724.933 Standards: Closed-VENT VENT Systems and Control Devices

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## a) Compliance Required.

- 1) Owners or operators of closed-vent systems and control devices used to comply with provisions of this Part shall comply with the provisions of this Section.
- 2) The owner or operator of an existing facility that cannot install a closed-vent system and control device to comply with the provisions of this Subpart on the effective date that the facility becomes subject to the provisions of this Subpart shall prepare an implementation schedule that includes dates by which the closed-vent system and control device will be installed and in operation. The controls must be installed as soon as possible, but the implementation schedule may allow up to 30 months after the effective date that the facility becomes subject to this Subpart for installation and startup. All units that begin operation after December 21, 1990, must comply with the rules immediately (i.e., must have control devices installed and operating on startup of the affected unit); the 2-year implementation schedule does not apply to these units.

b) A control device involving vapor recovery (e.g., a condenser or adsorber) must be designed and operated to recover the organic vapors vented to it with an efficiency of 95 weight percent or greater unless the total organic emission limits of Section 724.932(a)(1) for all affected process vents is attained at an efficiency less than 95 weight percent.

c) An enclosed combustion device (e.g., a vapor incinerator, boiler, or process heater) must be designed and operated to reduce the organic emissions vented to it by 95 weight percent or greater; to achieve a total organic compound concentration of 20 ppmv, expressed as the sum of the actual compounds and not in carbon equivalents, on a dry basis, corrected to three percent oxygen; or to provide a minimum residence time of 0.50 seconds at a minimum temperature of 760° C. If a boiler or process heater is used as the control device, then the vent stream must be introduced into the flame zone of the boiler or process heater.

## d) Flares:

- 1) A flare must be designed for and operated with no visible emissions, as determined by the methods specified in subsection (e)(1), except for periods not to exceed a total of 5 minutes during any 2 consecutive hours.
- 2) A flare must be operated with a flame present at all times, as determined by the methods specified in subsection (f)(2)(C) of this Section.
- 3) A flare must be used only if the net heating value of the gas being combusted is 11.2 MJ/scm (300 Btu/scf) or greater and the flare is steam-assisted or air-assisted or if the net heating value of the gas being combusted is 7.45 MJ/scm (200 Btu/scf) or greater and the flare is nonassisted. The net heating value of the gas being combusted must be determined by the methods

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specified in subsection (e)(2) of this Section.

- 4) Exit Velocity.
  - A) A steam-assisted or nonassisted flare must be designed for and operated with an exit velocity, as determined by the methods specified in subsection (e)(3) of this Section, less than 18.3 m/s (60 ft/s), except as provided in subsections (d)(4)(B) and (d)(4)(C) of this Section.
  - B) A steam-assisted or nonassisted flare designed for and operated with an exit velocity, as determined by the methods specified in subsection (e)(3) of this Section, equal to or greater than 18.3 m/s (60 ft/s) but less than 122 m/s (400 ft/s) is allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1000 Btu/scf).
  - C) A steam-assisted or nonassisted flare designed for and operated with an exit velocity, as determined by the methods specified in subsection (e)(3) of this Section, less than the velocity, V, as determined by the method specified in subsection (e)(4) of this Section and less than 122 m/s (400 ft/s) is allowed.
- 5) An air-assisted flare must be designed and operated with an exit velocity less than the velocity, V, as determined by the method specified in subsection (e)(5) of this Section.
- 6) A flare used to comply with this Section must be steam-assisted, air-assisted, or nonassisted.
- e) Compliance determination and equations.
  - 1) Reference Method 22 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111, must be used to determine the compliance of a flare with the visible emission provisions of this Subpart. The observation period is 2 hours and must be used according to Method 22.
  - 2) The net heating value of the gas being combusted in a flare must be calculated using the following equation:

$$H[T] = K \times \sum_{i=1}^n C[i] \times H[i]$$

$$H\{T\} = K \times \sum_{i=1}^n C\{i\} \times H\{i\}$$

Where:

H[T] is the net heating value of the sample in MJ/scm; where the net enthalpy per mole of offgas is based on combustion at 25°C and 760 mm Hg, but the standard temperature for determining the volume corresponding to 1 mole is 20°C.

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$K = 1.74 \times 10(7) (1/\text{ppm})(\text{g mol}/\text{scm})(\text{MJ}/\text{kcal})$  where standard temperature for (g mol/scm) 20°C.

SUM(Xi) means the sum of the values of X for each component i, from i=1 to n.

C[i] is the concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 in 40 CFR 60, and for carbon monoxide, by ASTM D1946-90, incorporated by reference in 35 Ill. Adm. Code 720.111.

H[i] is the net heat of combustion of sample component i, kcal/gmol at 25°C and 760 mm Hg. The heats of combustion must be determined using ASTM D 2382, incorporated by reference in 35 Ill. Adm. Code 720.111, if published values are not available or cannot be calculated.

3) The actual exit velocity of a flare must be determined by dividing the volumetric flow rate (in units of standard temperature and pressure), as determined by Reference Methods 2, 2A, 2C, or 2D in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111, as appropriate, by the unobstructed (free) cross-sectional area of the flare tip.

4) The maximum allowed velocity in m/s, V[max], for a flare complying with subsection (d)(4)(C) must be determined by the following equation:

$$\log[10] V[\text{max}] = \frac{H[T] + 28.8}{31.7}$$

$$\log\{10\} V\{\text{max}\} = \frac{H\{T\} + 28.8}{31.7}$$

Where:

Log[10] means logarithm to the base 10

H[T] is the net heating value as determined in subsection (e)(2).

5) The maximum allowed velocity in m/s, V[max], for an air-assisted flare must be determined by the following equation:

$$V\{\text{max}\} = 8.706 + 0.7084H\{T\}$$

$$V[\text{max}] = 8.706 + 0.7084H[T]$$

Where:

H[T] is the net heating value as determined in

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subsection (e)(2) of this Section.

- f) The owner or operator shall monitor and inspect each control device required to comply with this Section to ensure proper operation and maintenance of the control device by implementing the following requirements:

1) Install, calibrate, maintain, and operate according to the manufacturer's specifications a flow indicator that provides a record of stream flow from each affected process vent to the control device at least once every hour. The flow indicator sensor must be installed in the vent stream at the nearest feasible point to the control device inlet but before the point at which the vent streams are combined.

2) Install, calibrate, maintain and operate according to the manufacturer's specifications a device to continuously monitor control device operation as specified below:

- A) For a thermal vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device must have accuracy of  $\pm 1$  percent % of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5^{\circ}\text{C}$ , whichever is greater. The temperature sensor must be installed at a location in the combustion chamber downstream of the combustion zone.
- B) For a catalytic vapor incinerator, a temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature at two locations and have an accuracy of  $\pm 1$  percent % of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5^{\circ}\text{C}$ , whichever is greater. One temperature sensor must be installed in the vent stream at the nearest feasible point to the catalyst bed inlet and a second temperature sensor must be installed in the vent stream at the nearest feasible point to the catalyst bed outlet.

C) For a flare, a heat sensing monitoring device equipped with a continuous recorder that indicates the continuous ignition of the pilot flame.

D) For a boiler or process heater having a design heat input capacity less than 44 MW, a temperature monitoring device equipped with a continuous recorder. The device must have an accuracy of  $\pm 1$  percent % of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5^{\circ}\text{C}$ , whichever is greater. The temperature sensor must be installed at a location in the furnace downstream of the combustion zone.

E) For a boiler or process heater having a design heat input capacity greater than or equal to 44 MW, a monitoring device equipped with a continuous recorder to measure parameters that indicates good combustion operating practices are being used.

F) For a condenser, either:

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- i) A monitoring device equipped with a continuous recorder to measure the concentration level of the organic compounds in the exhaust vent stream from the condenser; or
- ii) A temperature monitoring device equipped with a continuous recorder. The device must be capable of monitoring temperature with an accuracy of  $\pm 1$  percent % of the temperature being monitored in  $^{\circ}\text{C}$  or  $\pm 0.5^{\circ}\text{C}$ , whichever is greater. The temperature sensor must be installed at a location in the exhaust vent stream from the condenser exit (i.e., product side).

G) For a carbon adsorption system that regenerates the carbon bed directly in the control device such as a fixed-bed carbon adsorber, either:

i) A monitoring device equipped with a continuous recorder to measure the concentration level of the organic compounds in the exhaust vent stream from the carbon bed, or

ii) A monitoring device equipped with a continuous recorder to measure a parameter that indicates the carbon bed is regenerated on a regular, predetermined time cycle.

3) Inspect the readings from each monitoring device required by subsections (f)(1) and (f)(2) at least once each operating day to check control device operation and, if necessary, immediately implement the corrective measures necessary to ensure the control device operates in compliance with the requirements of this Section.

g) An owner or operator using a carbon adsorption system such as a fixed-bed carbon adsorber that regenerates the carbon bed directly onsite in the control device shall replace the existing carbon in the control device with fresh carbon at a regular, predetermined time interval that is no longer than the carbon service life established as a requirement of Section 724.935(b)(4)(C)(vi).

h) An owner or operator using a carbon adsorption system such as a carbon canister that does not regenerate the carbon bed directly onsite in the control device shall replace the existing carbon in the control device with fresh carbon on a regular basis by using one of the following procedures:

1) Monitor the concentration level of the organic compounds in the exhaust vent stream from the carbon adsorption system on a regular schedule, and replace the existing carbon with fresh carbon immediately when carbon breakthrough is indicated. The monitoring frequency must be daily or at an interval no greater than 20 percent % of the time required to consume the total carbon working capacity established as a requirement of Section 724.935(b)(4)(C)(vii), whichever is longer.

2) Replace the existing carbon with fresh carbon at a regular, predetermined time interval that is less than the design carbon



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replacement interval established as a requirement of Section 724.935(b)(4)(C)(vii).

- i) An alternative operational or process parameter may be monitored if the operator demonstrates that the parameter will ensure that the control device is operated in conformance with these standards and the control device's design specifications.

- j) An owner or operator of an affected facility seeking to comply with the provisions of this Part by using a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system is required to develop documentation including sufficient information to describe the control device operation and identify the process parameter or parameters that indicate proper operation and maintenance of the control device.

- k) A closed-vent system must meet either of the following design requirements:

- 1) A closed-vent system must be designed to operate with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above background, as determined by the methods specified at Section 724.934(b), and by visual inspections; or

- 2) A closed-vent system must be designed to operate at a pressure below atmospheric pressure. The system must be equipped with at least one pressure gauge or other pressure measurement device that can be read from a readily accessible location to verify that negative pressure is being maintained in the closed-vent system when the control device is operating.

- 1) The owner or operator shall monitor and inspect each closed-vent system required to comply with this Section to ensure proper operation and maintenance of the closed-vent system by implementing the following requirements:

- 1) Each closed-vent system that is used to comply with subsection (k)(1) of this Section shall be inspected and monitored in accordance with the following requirements:

- A) An initial leak detection monitoring of the closed-vent system shall be conducted by the owner or operator on or before the date that the system becomes subject to this Section. The owner or operator shall monitor the closed-vent system components and connections using the procedures specified in Section 724.934(b) to demonstrate that the closed-vent system operates with no detectable emissions, as indicated by an instrument reading of less than 500 ppmv above of-this-Section background.

- B) After initial leak detection monitoring required in subsection (1)(A) of this Section, the owner or operator shall inspect and monitor the closed-vent system as follows:

- i) Closed-vent system joints, seams, or other connections that are permanently or semi-permanently sealed (e.g., a welded joint between two sections of hard piping or a

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bolted and gasketed ducting flange) must be visually inspected at least once per year to check for defects that could result in air pollutant emissions. The owner or operator shall monitor a component or connection using the procedures specified in Section 724.934(b) to demonstrate that it operates with no detectable emissions following any time the component is repaired or replaced (e.g., a section of damaged hard piping is replaced with new hard piping) or the connection is unsealed (e.g., a flange is unbolted).

- ii) Closed-vent system components or connections other than those specified in subsection (1)(1)(B)(1) of this Section must be monitored annually and at other times as requested by the Regional Administrator, except as provided for in subsection (o) of this Section, using the procedures specified in Section 724.934(b) to demonstrate that the components or connections operate with no detectable emissions.

- C) In the event that a defect or leak is detected, the owner or operator shall repair the defect or leak in accordance with the requirements of subsection (1)(3) of this Section.

- D) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in Section 724.935.

- 2) Each closed-vent system that is used to comply with subsection (k)(2) of this Section must be inspected and monitored in accordance with the following requirements:

- A) The closed-vent system must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in ductwork or piping or loose connections.

- B) The owner or operator shall perform an initial inspection of the closed-vent system on or before the date that the system becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year.

- C) In the event that a defect or leak is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (1)(3) of this Section.

- D) The owner or operator shall maintain a record of the inspection and monitoring in accordance with the requirements specified in Section 724.935.

- 3) The owner or operator shall repair all detected defects as follows:

- A) Detectable emissions, as indicated by visual inspection or by an instrument reading greater than 500 ppmv above background, must be controlled as soon as practicable, but

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not later than 15 calendar days after the emission is detected, except as provided for in subsection (1)(3)(C) of this Section.

- B) A first attempt at repair must be made no later than five calendar days after the emission is detected.
- C) Delay of repair of a closed-vent system for which leaks have been detected is allowed if the repair is technically infeasible without a process unit shutdown, or if the owner or operator determines that emissions resulting from immediate repair would be greater than the fugitive emissions likely to result from delay of repair. Repair of such equipment must be completed by the end of the next process unit shutdown.
- D) The owner or operator shall maintain a record of the defect repair in accordance with the requirements specified in Section 724.935.
- m) A closed-vent system or control device used to comply with provisions of this Subpart must be operated at all times when emissions may be vented to it.
- n) The owner or operator using a carbon adsorption system to control air pollutant emissions shall document that all carbon removed that is a hazardous waste and that is removed from the control device is managed in one of the following manners, regardless of the volatile organic concentration of the carbon:
  - 1) It is regenerated or reactivated in a thermal treatment unit that meets one of the following:
    - A) The owner or operator of the unit has been issued a final permit under 35 Ill. Adm. Code 702, 703, and 705 that implements the requirements of 724.Subpart X; or
    - B) The unit is equipped with and operating air emission controls in accordance with the applicable requirements of 724.Subparts AA and CC or 35 Ill. Adm. Code 725.Subparts AA and CC; or
    - C) The unit is equipped with and operating air emission controls in accordance with a national emission standard for hazardous air pollutants under 40 CFR 61 or 40 CFR 63.
  - 2) It is incinerated in a hazardous waste incinerator for which the owner or operator has done either of the following:
    - A) The owner or operator has been issued a final permit under 35 Ill. Adm. Code 702, 703, and 705 that implements the requirements of 724.Subpart O<sub>17</sub> or
    - B) The owner or operator has certified compliance in accordance with interim status requirements of 35 Ill. Adm. Code 725.Subpart O.
  - 3) It is burned in a boiler or industrial furnace for which the owner or operator had done either of the following:
    - A) The owner or operator had been issued a final permit under 35 Ill. Adm. Code 702, 703, and 705 that implements the

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requirements of 35 Ill. Adm. Code 726.Subpart H<sub>17</sub> or B) The owner or operator has designed and operates the boiler or industrial furnace in accordance with the interim status requirements of 35 Ill. Adm. Code 726.Subpart H.

- o) Any components of a closed-vent system that are designated, as described in Section 724.935(c)(9), as unsafe to monitor are exempt from the requirements of subsection (1)(1)(B)(ii) of this Section if both of the following conditions are fulfilled:
  - 1) The owner or operator of the closed-vent system has determined that the components of the closed-vent system are unsafe to monitor because monitoring personnel would be exposed to an immediate danger as a consequence of complying with subsection (1)(1)(B)(ii) of this Section; and
  - 2) The owner or operator of the closed-vent system adheres to a written plan that requires monitoring the closed-vent system components using the procedure specified in subsection (1)(1)(B)(ii) as frequently as practicable during safe-to-monitor times.

(Source: Amended 22 Ill. Reg. 17972, effective 8/28/1998)

## Section 724.934 Test METHODS METHODS and PROCEDURES PROCEDURES

- a) Each owner or operator subject to the provisions of this Subpart shall comply with the test methods and procedures requirements provided in this Section
- b) When a closed-vent system is tested for compliance with no detectable emissions, as required in Section 724.933(1), the test must comply with the following requirements:
  - 1) Monitoring must comply with Reference Method 21 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111.
  - 2) The detection instrument must meet the performance criteria of Reference Method 21.
  - 3) The instrument must be calibrated before use on each day of its use by the procedures specified in Reference Method 21.
  - 4) Calibration gases must be:
    - A) Zero air (less than 10 ppm of hydrocarbon in air).
    - B) A mixture of methane or n-hexane and air at a concentration of approximately, but less than, 10,000 ppm methane or n-hexane.
  - 5) The background level must be determined as set forth in Reference Method 21.
  - 6) The instrument probe must be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21.
  - 7) The arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared

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c) Performance tests to determine compliance with Section 724.932(a) and with the total organic compound concentration limit of Section 724.933(c) must comply with the following:

- 1) Performance tests to determine total organic compound concentrations and mass flow rates entering and exiting control devices must be conducted and data reduced in accordance with the following reference methods and calculation procedures:
  - A) Method 2 in 40 CFR 60 for velocity and volumetric flow rate.
  - B) Method 18 in 40 CFR 60 for organic content.
  - C) Each performance test must consist of three separate runs, each run conducted for at least 1 hour under the conditions that exist when the hazardous waste management unit is operating at the highest load or capacity level reasonably expected to occur. For the purpose of determining total organic compound concentrations and mass flow rates, the average of results of all runs applies. The average must be computed on a time-weighted basis.
- D) Total organic mass flow rates must be determined by the following equation:

$$E[h] = Q[2sd] \times \sum_{i=1}^n C[i] \times MW[i] \times 0.0416 \times 10^{(-6)}$$

$$E[h] = \frac{Q[2sd] \times \sum_{i=1}^n C[i] \times MW[i]}{10^6}$$

Where:

- $E[h]$  = The total organic mass flow rate, kg/h.  
 $Q[2sd]$  = The volumetric flow rate of gases entering or exiting control device, dscm/h, as determined by Method 2 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111.  
 $n$  = The number of organic compounds in the vent gas.  
 $C[i]$  = The organic concentration in ppm, dry

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basis, of compound i in the vent gas, as determined by Method 18 in 40 CFR 60.

$$MW[i] = \frac{\text{The molecular weight of organic compound } i \text{ in the vent gas, kg/kg-mol.}}{\text{The conversion factor for molar volume, kg-mol/m}^3, \text{ at } 293 \text{ K and } 760 \text{ mmHg.}}$$

$$0.0416 = \frac{\text{The conversion factor from ppm.}}{\text{The conversion factor from ppm.}}$$

E) The annual total organic emission rate must be determined by the following equation:

$$A = F \times H$$

Where:

A is total organic emission rate, kg/y.

F is the total organic mass flow rate, kg/h, as calculated in subsection (c)(1)(D) of this Section.

H is the total annual hours of operation for the affected unit.

F) Total organic emissions from all affected process vents at the facility must be determined by summing the hourly total organic mass emissions rates (F as determined in subsection (c)(1)(D) of this Section) and by summing the annual total organic mass emission rates (A as determined in subsection (c)(1)(E) of this Section) for all affected process vents at the facility.

2) The owner or operator shall record such process information as is necessary to determine the conditions of the performance tests. Operations during periods of startup, shutdown and malfunction do not constitute representative conditions for the purpose of a performance test.

3) The owner or operator of an affected facility shall provide, or cause to be provided, performance testing facilities as follows:

- A) Sampling ports adequate for the test methods specified in subsection (c)(1) of this Section.
  - B) Safe sampling platform(s).
  - C) Safe access to sampling platform(s).
  - D) Utilities for sampling and testing equipment.
- 4) For the purpose of making compliance determinations, the time-weighted average of the results of the three runs must apply. In the event that a sample is accidentally lost or conditions occur in which one of the three runs must be discontinued because of forced shutdown, failure of an irreplaceable portion of the sample train, extreme meteorological



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conditions or other circumstances beyond the owner or operator's control, compliance may, upon the Agency's approval, be determined using the average of the results of the two other runs.

- d) To show that a process vent associated with a hazardous waste distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation is not subject to the requirements of this Subpart, the owner or operator shall make an initial determination that the time-weighted, annual average total organic concentration of the waste managed by the waste management unit is less than 10 ppmw using one of the following two methods:

- 1) Direct measurement of the organic concentration of the waste using the following procedures:

A) The owner or operator shall take a minimum of four grab samples of waste for each wastestream managed in the affected unit under process conditions expected to cause the maximum waste organic concentration.

B) For waste generated onsite, the grab samples must be collected at a point before the waste is exposed to the atmosphere such as in an enclosed pipe or other closed system that is used to transfer the waste after generation to the first affected distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation. For waste generated offsite, the grab samples must be collected at the inlet to the first waste management unit that receives the waste provided the waste has been transferred to the facility in a closed system such as a tank truck and the waste is not diluted or mixed with other waste.

C) Each sample must be analyzed and the total organic concentration of the sample must be computed using Method 9060 or 8260 8240 of SW-846, incorporated by reference under 35 Ill. Adm. Code 720.111.

D) The arithmetic means of the results of the analyses of the four samples apply for each wastestream managed in the unit in determining the time-weighted, annual average total organic concentration of the waste. The time-weighted average is to be calculated using the annual quantity of each waste stream processed and the mean organic concentration of each wastestream managed in the unit.

- 2) Using knowledge of the waste to determine that its total organic concentration is less than 10 ppmw. Documentation of the waste determination is required. Examples of documentation that must be used to support a determination under this subsection (d)(2) include:

A) Production process information documenting that no organic compounds are used;

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B) Information that the waste is generated by a process that is identical to a process at the same or another facility that has previously been demonstrated by direct measurement to generate a wastestream having a total organic content less than 10 ppmw; or

C) Prior speciation analysis results on the same wastestream where it is also documented that no process changes have occurred since that analysis that could affect the waste total organic concentration.

e) The determination that a distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation that manages hazardous wastes that have time-weighted, annual average total organic concentrations less than 10 ppmw must be made as follows:

- 1) By the effective date that the facility becomes subject to the provisions of this Subpart or by the date when the waste is first managed in a waste management unit, whichever is later; and

- 2) For continuously generated waste, annually; or

- 3) Whenever there is a change in the waste being managed or a change in the process that generates or treats the waste.

f) When an owner or operator and the Agency do not agree on whether a distillation, fractionation, thin-film evaporation, solvent extraction, or air or steam stripping operation manages a hazardous waste with organic concentrations of at least 10 ppmw based on knowledge of the waste, the procedures in Method 8260 8240 in SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111, may must be used to resolve the dispute.

(Source: Amended 35 Ill. Reg. 17972, effective SEP 28 1998)

## SUBPART BB: AIR EMISSION STANDARDS FOR EQUIPMENT LEAKS

## Section 724.950 Applicability

a) The regulations in this Subpart apply to owners and operators of facilities that treat, store, or dispose of hazardous wastes (except as provided in Section 724.101).

b) Except as provided in Section 724.964(k), this Subpart applies to equipment that contains or contacts hazardous wastes with organic concentrations of at least 10 percent % by weight that are managed in one of the following:

- 1) A unit that is subject to the RCRA permitting requirements of 35 Ill. Adm. Code 702, 703, and 705;

- 2) A unit (including a hazardous waste recycling unit) that is not exempt from permitting under the provisions of 35 Ill. Adm. Code 722.134(a) (i.e., a hazardous waste recycling unit that is not a "90-day" tank or container) and that is located at a hazardous

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waste management facility otherwise subject to the permitting requirements of 35 Ill. Adm. Code 702, 703, and 705, or a unit that is exempt from permitting under the provisions of 35 Ill. Adm. Code 722.134(a) (i.e., a "90-day" tank or container).

- c) If the owner or operator of equipment subject to the requirements of Sections 724.952 through 724.965 has received a RCRA permit prior to December 21, 1990, the requirements of Sections 724.952 through 724.965 must be incorporated when the permit is reissued under 35 Ill. Adm. Code 705.201 or reviewed under 35 Ill. Adm. Code 702.161.
- d) Each piece of equipment to which this Subpart applies must be marked in such a manner that it can be distinguished readily from other pieces of equipment.

- e) Equipment that is in vacuum service is excluded from the requirements of Sections 724.952 to 724.960, if it is identified as required in Section 724.964(g)(5).

- f) Equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent % by weight for a period of less than 300 hours per calendar year is excluded from the requirements of Sections 724.952 264-952 through 724.960 264-960 if it is identified as required in Section 724.964(g)(6).

BOARD NOTE: The requirements of Sections 724.952 through 724.965 apply to equipment associated with hazardous waste recycling units previously exempt under 35 Ill. Adm. Code 721.106(c)(1). Other exemptions under 35 Ill. Adm. Code 721.104 and 724.101(g) are not affected by these requirements.

(Source: Amended SEP 28 1986, Ill. Reg.

**17972**

effective

## Section 724.963 Test Methods and Procedures

- a) Each owner or operator subject to the provisions of this Subpart shall comply with the test methods and procedures requirements provided in this Section.

- b) Leak detection monitoring, as required in Sections 724.952 through 724.962, must comply with the following requirements:

- 1) Monitoring must comply with Reference Method 21 in 40 CFR 60, incorporated by reference in 35 Ill. Adm. Code 720.111.

- 2) The detection instrument must meet the performance criteria of Reference Method 21.

- 3) The instrument must be calibrated before use on each day of its use by the procedures specified in Reference Method 21.

- 4) Calibration gases must be:

- A) Zero air (less than 10 ppm of hydrocarbon in air).  
B) A mixture of methane or n-hexane and air at a concentration of approximately, but less than 10,000 ppm methane or n-hexane.

- 5) The instrument probe must be traversed around all potential leak

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interfaces as close to the interface as possible as described in Reference Method 21.

- c) When equipment is tested for compliance with no detectable emissions, as required in Sections 724.952(e), 724.953(i), 724.954, and 724.957(f), the test must comply with the following requirements:

- 1) The requirements of subsections (b)(1) through (b)(4) of this Section above apply.  
2) The background level must be determined as set forth in Reference Method 21.

- 3) The instrument probe must be traversed around all potential leak interfaces as close to the interface as possible as described in Reference Method 21.

- 4) This arithmetic difference between the maximum concentration indicated by the instrument and the background level is compared with 500 ppm for determining compliance.

- d) In accordance with the waste analysis plan required by Section 724.113(b), an owner or operator of a facility shall determine, for each piece of equipment, whether the equipment contains or contacts a hazardous waste with organic concentration that equals or exceeds 10 percent by weight using the following:

- 1) Methods described in ASTM Methods D 2267-88, E 168-88, E 169-87, and E 260-85, incorporated by reference in 35 Ill. Adm. Code 720.111;

- 2) Method 9060 or 8260 8249 of SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111; or

- 3) Application of the knowledge of the nature of the hazardous waste stream or the process by which it was produced. Documentation of a waste determination by knowledge is required.

Examples of documentation that must be used to support a determination under this provision include production process information documenting that no organic compounds are

used, information that the waste is generated by a process that is identical to a process at the same or another facility that has previously been demonstrated by direct measurement to have a total organic content less than 10 percent, or prior specification analysis results on the same wastestream where it is also documented that no process changes have occurred since that analysis that could affect the waste total organic concentration.

- e) If an owner or operator determines that a piece of equipment contains or contacts a hazardous waste with organic concentrations at least 10 percent by weight, the determination can be revised only after following the procedures in subsection (d)(1) or (d)(2) of this Section above.

- f) When an owner or operator and the Agency do not agree on whether a piece of equipment contains or contacts a hazardous waste with organic concentrations at least 10 percent by weight, the procedures in subsection (d)(1) or (d)(2) of this Section above must be used to resolve the dispute.

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- g) Samples used in determining the percent organic content must be representative of the highest total organic content hazardous waste that is expected to be contained in or contact the equipment.
- h) To determine if pumps or valves are in light liquid service, the vapor pressures of constituents must either be obtained from standard reference texts or be determined by ASTM D 2879-92B6, incorporated by reference in 35 Ill. Adm. Code 720.111.
- i) Performance tests to determine if a control device achieves 95 weight percent organic emission reduction must comply with the procedures of Section 724.934(c)(1) through (c)(4).

(Source: Amended at 22 Ill. Reg. 17972, effective

SEP 28 1998)

## Section 724.964 Recordkeeping Requirements

## a) Lumping Units

- 1) Each owner or operator subject to the provisions of this Subpart shall comply with the recordkeeping requirements of this Section.
  - 2) An owner or operator of more than one hazardous waste management unit subject to the provisions of this Subpart may comply with the recordkeeping requirements for these hazardous waste management units in one recordkeeping system if the system identifies each record by each hazardous waste management unit.
- b) Owner and operators shall record the following information in the facility operating record:

- 1) For each piece of equipment to which this Subpart applies:
  - A) Equipment identification number and hazardous waste management unit identification.
  - B) Approximate locations within the facility (e.g., identify the hazardous waste management unit on a facility plot plan).
  - C) Type of equipment (e.g., a pump or pipeline valve).
  - D) Percent-by-weight total organics in the hazardous wastestream at the equipment.
  - E) Hazardous waste state at the equipment (e.g., gas-vapor or liquid).
  - F) Method of compliance with the standard (e.g., "monthly leak detection and repair" or "equipped with dual mechanical seals").
- 2) For facilities that comply with the provisions of Section 724.933(a)(2), an implementation schedule as specified in that Section.
- 3) Where an owner or operator chooses to use test data to demonstrate the organic removal efficiency or total organic compound concentration achieved by the control device, a performance test plan as specified in Section 724.935(b)(3).
- 4) Documentation of compliance with Section 724.960, including the

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- detailed design documentation or performance test results specified in Section 724.935(b)(4).
- c) When each leak is detected as specified in Sections 724.952, 724.953, 724.957 or 724.958, the following requirements apply:
- 1) A weatherproof and readily visible identification, marked with the equipment identification number, the date evidence of a potential leak was found in accordance with Section 724.958(a), and the date the leak was detected, must be attached to the leaking equipment.
  - 2) The identification on equipment except on a valve, may be removed after it has been repaired.
  - 3) The identification on a valve may be removed after it has been monitored for 2 successive months as specified in Section 724.957(c) and no leak has been detected during those 2 months.
- d) When each leak is detected as specified in Sections 724.952, 724.953, 724.957 or 724.958, the following information must be recorded in an inspection log and must be kept in the facility operating record:
- 1) The instrument and operator identification numbers and the equipment identification number.
  - 2) The date evidence of a potential leak was found in accordance with Section 724.958(a).
  - 3) The date the leak was detected and the dates of each attempt to repair the leak.
  - 4) Repair methods applied in each attempt to repair the leak.
  - 5) "Above 10,000", if the maximum instrument reading measured by the methods specified in Section 724.963(b) after each repair attempt is equal to or greater than 10,000 ppm.
  - 6) "Repair delayed" and the reason for the delay if a leak is not repaired within 15 calendar days after discovery of the leak.
  - 7) Documentation supporting the delay of repair of a valve in compliance with Section 724.959(c).
  - 8) The signature of the owner or operator (or designate) whose decision it was that repair could not be effected without a hazardous waste management unit shutdown.
  - 9) The expected date of successful repair of the leak if a leak is not repaired within 15 calendar days.
  - 10) The date of successful repair of the leak.
- e) Design documentation and monitoring, operating and inspection information for each closed-vent system and control device required to comply with the provisions of Section 724.960 must be recorded and kept up-to-date in the facility operating record as specified in Section 724.935(c)(1) and (c)(2), and monitoring, operating and inspection information in Section 724.935(c)(3) through (c)(8).
- f) For a control device other than a thermal vapor incinerator, catalytic vapor incinerator, flare, boiler, process heater, condenser, or carbon adsorption system, the Agency shall specify the appropriate recordkeeping requirements, indicating proper operation and maintenance of the control device, in the RCRA permit.



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g) The following information pertaining to all equipment subject to the requirements in Sections 724.952 through 724.960 must be recorded in a log that is kept in the facility operating record:

- 1) A list of identification numbers for equipment (except welded fittings) subject to the requirements of this Subpart.
- 2) List of Equipment
  - A) A list of identification numbers for equipment that the owner or operator elects to designate for no detectable emissions, as indicated by an instrument reading of less than 500 ppm above background, under the provisions of Sections 724.952(e), 724.953(i) and 724.957(f).
  - B) The designation of this equipment as subject to the requirements of Section 724.952(e), 724.953(i) or 724.957(f) must be signed by the owner or operator.
- 3) A list of equipment identification numbers for pressure relief devices required to comply with Section 724.954(a).
- 4) Compliance tests.
  - A) The dates of each compliance test required in Sections 724.952(e), 724.953(i), 724.954 and 724.957(f).
  - B) The background level measured during each compliance test.
  - C) The maximum instrument reading measured at the equipment during each compliance test.
- 5) A list of identification numbers for equipment in vacuum service.
- 6) Identification, either by list or location (area or group), of equipment that contains or contacts hazardous waste with an organic concentration of at least 10 percent by weight for a period of less than 300 hours per year.

h) The following information pertaining to all valves subject to the requirements of Section 724.957(g) and (h) must be recorded in a log that is kept in the facility operating record:

- 1) A list of identification numbers for valves that are designated as unsafe to monitor, an explanation for each valve stating why the valve is unsafe to monitor, and the plan for monitoring each valve.
  - 2) A list of identification numbers for valves that are designated as difficult to monitor, an explanation for each valve stating why the valve is difficult to monitor, and the planned schedule for monitoring each valve.
- i) The following information must be recorded in the facility operating record for valves complying with Section 724.962:
- 1) A schedule of monitoring.
  - 2) The percent of valves found leaking during each monitoring period.
- j) The following information must be recorded in a log that is kept in the facility operating record:
- 1) Criteria required in Sections 724.952(d)(5)(B) and 724.953(e)(2) and an explanation of the design criteria.
  - 2) Any changes to these criteria and the reasons for the changes.

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k) The following information must be recorded in a log that is kept in the facility operating record for use in determining exemptions as provided in Section 724.950 and other specific Subparts:

- 1) An analysis determining the design capacity of the hazardous waste management unit.
- 2) A statement listing the hazardous waste influent to and effluent from each hazardous waste management unit subject to the requirements in Section 724.960 and an analysis determining whether these hazardous wastes are heavy liquids.
- 3) An up-to-date analysis and the supporting information and data used to determine whether or not equipment is subject to the requirements in Sections 724.952 through 724.960. The record must include supporting documentation as required by Section 724.963(d)(3) when application of the knowledge of the nature of the hazardous wastestream or the process by which was produced is used. If the owner or operator takes any action (e.g., changing the process that produced the waste) that could result in an increase in the total organic content of the waste contained in or contacted by equipment determined not to be subject to the requirements in Sections 724.952 through 724.960, then a new determination is required.
- 1) Records of the equipment leak information required by subsection (d) of this Section and the operating information required by subsection (e) of this Section need be kept only 3 years.
- m) The owner or operator of any facility that is subject to this Subpart and to regulations at 40 CFR 60, Subpart VV, or 40 CFR 61, Subpart V, incorporated by reference in 35 Ill. Adm. Code 720.111, may elect to determine compliance with this Subpart by documentation either pursuant to Section 724.964, or pursuant to those provisions of 40 CFR 60 or 61, to the extent that the documentation under the regulation at 40 CFR 60 or 61 duplicates the documentation required under this Subpart. The documentation under the regulation at 40 CFR 60 or 61 must be kept with or made readily available with the facility operating record.

(Source: Amended at 22 Ill. Reg. 17079, effective SEP 28 1998)

SUBPART CC: AIR EMISSION STANDARDS FOR TANKS, SURFACE IMPOUNDMENTS, AND CONTAINERS

## Section 724.980 Applicability

- a) The requirements of this Subpart apply, effective October 6, 1996, to owners and operators of all facilities that treat, store, or dispose of hazardous waste in tanks, surface impoundments, or containers subject to 724. Subpart Subparts I, J, or K, except as Section 724.101 and subsection (b) of this Section provide otherwise.

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BOARD NOTE: USEPA adopted these regulations at 59 Fed. Reg. 62896 (Dec. 6, 1994), effective June 6, 1995. At 60 Fed. Reg. 26828 (May 19, 1995) and 60 Fed. Reg. 56952 (Nov. 13, 1995) and 61 Fed. Reg. 28508 (June 5, 1996), USEPA delayed the effective date until October 6, 1996. If action by USEPA or a decision of a federal court changes the effectiveness of these regulations, the Board does not intend that the 724.Subpart CC rules be enforceable to the extent that they become more stringent than that the federal regulations upon which they are based.

- b) The requirements of this Subpart do not apply to the following waste management units at the facility:
- 1) A waste management unit that holds hazardous waste placed in the unit before October 6, 1996, and in which no hazardous waste is added to the unit on or after this date.
  - 2) A container that has a design capacity less than or equal to 0.1 m(3) (3.5 ft(3) or 26.4 gal).
  - 3) A tank in which an owner or operator has stopped adding hazardous waste and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
  - 4) A surface impoundment in which an owner or operator has stopped adding hazardous waste (except to implement an approved closure plan) and the owner or operator has begun implementing or completed closure pursuant to an approved closure plan.
  - 5) A waste management unit that is used solely for on-site treatment or storage of hazardous waste that is generated as the result of implementing remedial activities required pursuant to the Act or Board regulations or under the corrective action authorities of RCRA section 3004(u), 3004(v) or 3008(h); CERCLA authorities; or similar federal or State state authorities.
  - 6) A waste management unit that is used solely for the management of radioactive mixed waste in accordance with all applicable regulations under the authority of the Atomic Energy Act (42 U.S.C. 2011 et seq.) and the Nuclear Waste Policy Act.
  - 7) A hazardous waste management unit that the owner or operator certifies is equipped with and operating air emission controls in accordance with the requirements of an applicable federal Clean Air Act regulation codified under 40 CFR 60, 61, or 63. For the purpose of complying with this subsection (b)(7), a tank for which the air emission control includes an enclosure, as opposed to a cover, must be in compliance with enclosure and control device requirements of Section 724.984(i), except as provided in Section 724.982(c)(5).
  - 8) A tank that has a process vent, as defined in 35 Ill. Adm. Code 724.931.
- c) For the owner and operator of a facility subject to this Subpart and that received a final RCRA permit prior to October 6, 1996, the requirements of this Subpart shall be incorporated into the permit when the permit is reissued, renewed, or modified in accordance with

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the requirements of 35 Ill. Adm. Code 703 and 705. Until such date when the owner and operator receives a final permit incorporating the requirements of this Subpart, the owner and operator is subject to the requirements of 35 Ill. Adm. Code 725.Subpart CC.

- d) The requirements of this Subpart, except for the recordkeeping requirements specified in Section 724.989(i), are stayed for a tank or container used for the management of hazardous waste generated by organic peroxide manufacturing and its associated laboratory operations, when the owner or operator of the unit meets all of the following conditions:

- 1) The owner or operator identifies that the tank or container receives hazardous waste generated by an organic peroxide manufacturing process producing more than one functional family of organic peroxides or multiple organic peroxides within one functional family, that one or more of these organic peroxides could potentially undergo self-accelerating thermal decomposition at or below ambient temperatures, and that organic peroxides are the predominant products manufactured by the process. For the purposes of this subsection, "organic peroxide" means an organic compound that contains the bivalent -O-O- structure and which may be considered to be a structural derivative of hydrogen peroxide where one or both of the hydrogen atoms has been replaced by an organic radical.
- 2) The owner or operator prepares documentation, in accordance with Section 724.989(i), explaining why an undue safety hazard would be created if air emission controls specified in Sections 724.984 through 724.987 are installed and operated on the tanks and containers used at the facility to manage the hazardous waste generated by the organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) of this Section.
- 3) The owner or operator notifies the Agency in writing that hazardous waste generated by an organic peroxide manufacturing process or processes meeting the conditions of subsection (d)(1) of this Section are managed at the facility in tanks or containers meeting the conditions of subsection (d)(2) of this Section. The notification must state the name and address of the facility and be signed and dated by an authorized representative of the facility owner or operator.

(Source: Amended at 22 Ill. Reg. 17972, effective

SEP 28 1998)

Section 724.984 Standards: Tanks

- a) The provisions of this Section apply to the control of air pollutant emissions from tanks for which Section 724.982(b) references the use of this Section for such air emission control.

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b) The owner or operator shall control air pollutant emissions from each tank subject to this Section in accordance with the following requirements, as applicable:

- 1) For a tank that manages hazardous waste that meets all of the conditions specified in subsections (b)(1)(A) through (b)(1)(C) of this Section, the owner or operator shall control air pollutant emissions from the tank in accordance with the Tank Level 1 controls specified in subsection (c) of this Section or the Tank Level 2 controls specified in subsection (d) of this Section.

A) The hazardous waste in the tank has a maximum organic vapor pressure that is less than the maximum organic vapor pressure limit for the tank's design capacity category as follows:

- i) For a tank design capacity equal to or greater than 151 m(3) (39,900 gal), the maximum organic vapor pressure limit for the tank is 5.2 kPa (0.75 psig).
- ii) For a tank design capacity equal to or greater than 75 m(3) (19,800 gal) but less than 151 m(3) (39,900 gal), the maximum organic vapor pressure limit for the tank is 27.6 kPa (4.00 psig).
- iii) For a tank design capacity less than 75 m(3) (19,800 gal), the maximum organic vapor pressure limit for the tank is 76.6 kPa (11.1 psig).

B) The hazardous waste in the tank is not heated by the owner or operator to a temperature that is greater than the temperature at which the maximum organic vapor pressure of the hazardous waste is determined for the purpose of complying with subsection (b)(1)(A) of this Section.

C) The hazardous waste in the tank is not treated by the owner or operator using a waste stabilization process, as defined in 35 Ill. Adm. Code 725.981.

- 2) For a tank that manages hazardous waste that does not meet all of the conditions specified in subsections (b)(1)(A) through (b)(1)(C) of this Section, the owner or operator shall control air pollutant emissions from the tank by using Tank Level 2 controls in accordance with the requirements of subsection (d) of this Section. Examples of tanks required to use Tank Level 2 controls include a tank used for a waste stabilization process and a tank for which the hazardous waste in the tank has a maximum organic vapor pressure that is equal to or greater than the maximum organic vapor pressure limit for the tank's design capacity category as specified in subsection (b)(1)(A) of this Section.

c) Owners and operators controlling air pollutant emissions from a tank using Tank Level 1 controls must meet the requirements specified in subsections (c)(1) through (c)(4) of this Section:

- 1) The owner or operator shall determine the maximum organic vapor

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pressure for a hazardous waste to be managed in the tank using Tank Level 1 controls before the first time the hazardous waste is placed in the tank. The maximum organic vapor pressure must be determined using the procedures specified in Section 724.983(c). Thereafter, the owner or operator shall perform a new determination whenever changes to the hazardous waste managed in the tank could potentially cause the maximum organic vapor pressure to increase to a level that is equal to or greater than the maximum organic vapor pressure limit for the tank design capacity category specified in subsection (b)(1)(A) of this Section, as applicable to the tank.

- 2) The tank must be equipped with a fixed roof designed to meet the following specifications:

A) The fixed roof and its closure devices must be designed to form a continuous barrier over the entire surface area of the hazardous waste in the tank. The fixed roof may be a separate cover installed on the tank (e.g., a removable cover mounted on an open-top tank) or may be an integral part of the tank structural design (e.g., a horizontal cylindrical tank equipped with a hatch).

B) The fixed roof must be installed in a manner such that there are no visible cracks, holes, gaps, or other open spaces between roof section joints or between the interface of the roof edge and the tank wall.

C) Each opening in the fixed roof must be either:

- i) Equipped with a closure device designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the opening and the closure device; or

ii) Connected by a closed-vent system that is vented to a control device. The control device must remove or destroy organics in the vent stream, and it must be operating whenever hazardous waste is managed in the tank.

D) The fixed roof and its closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices must include the following: the organic vapor permeability; the effects of any contact with the hazardous waste or its vapors managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.



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- 3) Whenever a hazardous waste is in the tank, the fixed roof must be installed with each closure device secured in the closed position, except as follows:

A) Opening of closure devices or removal of the fixed roof is allowed at the following times:

- i) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample the liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.
- ii) To remove accumulated sludge or other residues from the bottom of the tank.

B) Opening of a spring-loaded pressure-vacuum relief valve, conservation vent, or similar type of pressure relief device which vents to the atmosphere is allowed during normal operations for the purpose of maintaining the tank internal pressure in accordance with the tank design specifications. The device must be designed to operate with no detectable organic emissions when the device is secured in the closed position. The settings at which the device opens must be established such that the device remains in the closed position whenever the tank internal pressure is within the internal pressure operating range determined by the owner or operator based on the tank manufacturer recommendations, applicable regulations, fire protection and prevention codes, standard engineering codes and practices, or other requirements for the safe handling of flammable, ignitable, explosive, reactive, or hazardous materials. Examples of normal operating conditions that may require these devices to open are during those times when the tank internal pressure exceeds the internal pressure operating range for the tank as a result of loading operations or diurnal ambient temperature fluctuations.

C) Opening of a safety device, as defined in 35 Ill. Adm. Code 725.981, is allowed at any time conditions require doing so to avoid an unsafe condition.

4) The owner or operator shall inspect the air emission control equipment in accordance with the following requirements.

- A) The fixed roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, visible cracks, holes, or gaps in the roof sections or between the roof and the tank wall;

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broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

- B) The owner or operator shall perform an initial inspection of the fixed roof and its closure devices on or before the date that the tank becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except under the special conditions provided for in subsection (l) of this Section.

C) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.

- D) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 724.989(b).

d) Owners and operators controlling air pollutant emissions from a tank using Tank Level 2 controls must use one of the following tanks:

- 1) A fixed-roof tank equipped with an internal floating roof in accordance with the requirements specified in subsection (e) of this Section;
- 2) A tank equipped with an external floating roof in accordance with the requirements specified in subsection (f) of this Section;
- 3) A tank vented through a closed-vent system to a control device in accordance with the requirements specified in subsection (g) of this Section;
- 4) A pressure tank designed and operated in accordance with the requirements specified in subsection (h) of this Section; or
- 5) A tank located inside an enclosure that is vented through a closed-vent system to an enclosed combustion control device in accordance with the requirements specified in subsection (i) of this Section.

e) The owner or operator that controls air pollutant emissions from a tank using a fixed roof with an internal floating roof shall meet the requirements specified in subsections (e)(1) through (e)(3) of this Section.

- 1) The tank must be equipped with a fixed roof and an internal floating roof in accordance with the following requirements:

A) The internal floating roof must be designed to float on the liquid surface except when the floating roof must be supported by the leg supports.

B) The internal floating roof must be equipped with a continuous seal between the wall of the tank and the floating roof edge that meets either of the following requirements:

- i) A single continuous seal that is either a liquid-mounted seal or a metallic shoe seal, as defined in 35 Ill. Adm. Code 725.981; or
- ii) Two continuous seals mounted one above of this Section

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the other. The lower seal may be a vapor-mounted seal.

- C) The internal floating roof must meet the following specifications:

i) Each opening in a noncontact internal floating roof except for automatic bleeder vents (vacuum breaker vents) and the rim space vents is to provide a projection below the liquid surface.

ii) Each opening in the internal floating roof must be equipped with a gasketed cover or a gasketed lid except for leg sleeves, automatic bleeder vents, rim space vents, column wells, ladder wells, sample wells, and stub drains.

iii) Each penetration of the internal floating roof for the purpose of sampling must have a slit fabric cover that covers at least 90 percent of the opening.

iv) Each automatic bleeder vent and rim space vent must be gasketed.

v) Each penetration of the internal floating roof that allows for passage of a ladder must have a gasketed sliding cover.

vi) Each penetration of the internal floating roof that allows for passage of a column supporting the fixed roof must have a flexible fabric sleeve seal or a gasketed sliding cover.

- 2) The owner or operator shall operate the tank in accordance with the following requirements:

A) When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling must be continuous and must be completed as soon as practical.

B) Automatic bleeder vents are to be set closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the leg supports.

C) Prior to filling the tank, each cover, access hatch, gauge float well or lid on any opening in the internal floating roof must be bolted or fastened closed (i.e., no visible gaps). Rim space vents must be set to open only when the internal floating roof is not floating or when the pressure beneath the rim exceeds the manufacturer's recommended setting.

- 3) The owner or operator shall inspect the internal floating roof in accordance with the procedures specified as follows:

A) The floating roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, any of the following: when the internal floating roof is not floating on the surface of the liquid inside the tank; when liquid has accumulated on top

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of the internal floating roof; when any portion of the roof seals have detached from the roof rim; when holes, tears, or other openings are visible in the seal fabric; when the gaskets no longer close off the hazardous waste surface from the atmosphere; or when the slotted membrane has more than 10 percent open area.

- B) The owner or operator shall inspect the internal floating roof components as follows, except as provided in subsection (e)(3)(C) of this Section:

i) Visually inspect the internal floating roof components through openings on the fixed-roof (e.g., manholes and roof hatches) at least once every 12 months after initial fill, and

ii) Visually inspect the internal floating roof, primary seal, secondary seal (if one is in service), gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least once every 10 years.

- C) As an alternative to performing the inspections specified in subsection (e)(3)(B) of this Section for an internal floating roof equipped with two continuous seals mounted one above the other, the owner or operator may visually inspect the internal floating roof, primary and secondary seals, gaskets, slotted membranes, and sleeve seals (if any) each time the tank is emptied and degassed and at least every five years.

- D) Prior to each inspection required by subsection (e)(3)(B) or (e)(3)(C) of this Section, the owner or operator shall notify the Agency in advance of each inspection to provide the Agency with the opportunity to have an observer present during the inspection. The owner or operator shall notify the Agency of the date and location of the inspection as follows:

i) Prior to each visual inspection of an internal floating roof in a tank that has been emptied and degassed, written notification must be prepared and sent by the owner or operator so that it is received by the Agency at least 30 calendar days before refilling the tank, except when an inspection is not planned, as provided for in subsection (e)(3)(D)(ii) of this Section.

ii) When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the Agency as soon as possible, but no later than seven calendar days before refilling of the tank. This notification may be made by telephone and immediately followed by a written

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explanation for why the inspection is unplanned. Alternatively, written notification, including the explanation for the unplanned inspection, may be sent so that it is received by the Agency at least seven calendar days before refilling the tank.

E) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.

F) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 724.989(b).

f) The owner or operator that controls air pollutant emissions from a tank using an external floating roof must meet the requirements specified in subsections (f)(1) through (f)(3) of this Section.

1) The owner or operator shall design the external floating roof in accordance with the following requirements:

A) The external floating roof must be designed to float on the liquid surface except when the floating roof must be supported by the leg supports.

B) The floating roof must be equipped with two continuous seals, one above the other, between the wall of the tank and the roof edge. The lower seal is referred to as the primary seal, and the upper seal is referred to as the secondary seal.

i) The primary seal must be a liquid-mounted seal or a metallic shoe seal, as defined in 35 Ill. Adm. Code 725.981. The total area of the gaps between the tank wall and the primary seal must not exceed 212 square centimeters (cm<sup>2</sup>) per meter (10.0 square inches (in<sup>2</sup>) per foot) of tank diameter, and the width of any portion of these gaps must not exceed 3.8 centimeters (cm) (1.5 in). If a metallic shoe seal is used for the primary seal, the metallic shoe seal must be designed so that one end extends into the liquid in the tank and the other end extends a vertical distance of at least 61 cm (24 in) above the liquid surface.

ii) The secondary seal must be mounted above the primary seal and cover the annular space between the floating roof and the wall of the tank. The total area of the gaps between the tank wall and the secondary seal must not exceed 21.2 cm<sup>2</sup> per meter (1.00 in<sup>2</sup> per foot) of tank diameter, and the width of any portion of these gaps must not exceed 1.3 cm (0.51 in).

C) The external floating roof must meet the following specifications:

i) Except for automatic bleeder vents (vacuum breaker vents) and rim space vents, each opening in a

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noncontact external floating roof must provide a projection below the liquid surface.

ii) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof must be equipped with a gasketed cover, seal, or lid.

iii) Each access hatch and each gauge float well must be equipped with a cover designed to be bolted or fastened when the cover is secured in the closed position.

iv) Each automatic bleeder vent and each rim space vent must be equipped with a gasket.

v) Each roof drain that empties into the liquid managed in the tank must be equipped with a slotted membrane fabric cover that covers at least 90 percent of the area of the opening.

vi) Each unslotted and slotted guide pole well must be equipped with a gasketed sliding cover or a flexible fabric sleeve seal.

vii) Each unslotted guide pole must be equipped with a gasketed cap on the end of the pole.

viii) Each slotted guide pole must be equipped with a gasketed float or other device which closes off the liquid surface from the atmosphere.

ix) Each gauge hatch and each sample well must be equipped with a gasketed cover.

2) The owner or operator shall operate the tank in accordance with the following requirements:

A) When the floating roof is resting on the leg supports, the process of filling, emptying, or refilling must be continuous and must be completed as soon as practical.

B) Except for automatic bleeder vents, rim space vents, roof drains, and leg sleeves, each opening in the roof must be secured and maintained in a closed position at all times except when the closure device must be open for access.

C) Covers on each access hatch and each gauge float well must be bolted or fastened when secured in the closed position.

D) Automatic bleeder vents must be set closed at all times when the roof is floating, except when the roof is being floated off or is being landed on the leg supports.

E) Rim space vents must be set to open only at those times that the roof is being floated off the roof leg supports or when the pressure beneath the rim seal exceeds the manufacturer's recommended setting.

F) The cap on the end of each unslotted guide pole must be secured in the closed position at all times except when measuring the level or collecting samples of the liquid in the tank.

G) The cover on each gauge hatch or sample well must be secured



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in the closed position at all times except when the hatch or well must be opened for access.

- H) Both the primary seal and the secondary seal must completely cover the annular space between the external floating roof and the wall of the tank in a continuous fashion except during inspections.

- 3) The owner or operator shall inspect the external floating roof in accordance with the procedures specified as follows:

A) The owner or operator shall measure the external floating roof seal gaps in accordance with the following requirements:

i) The owner or operator shall perform measurements of gaps between the tank wall and the primary seal within 60 calendar days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every five years.

ii) The owner or operator shall perform measurements of gaps between the tank wall and the secondary seal within 60 calendar days after initial operation of the tank following installation of the floating roof and, thereafter, at least once every year.

iii) If a tank ceases to hold hazardous waste for a period of one year or more, subsequent introduction of hazardous waste into the tank must be considered an initial operation for the purposes of subsections (f)(3)(A)(i) and (f)(3)(A)(ii) of this Section.

iv) The owner or operator shall determine the total surface area of gaps in the primary seal and in the secondary seal individually using the procedure of subsection (f)(3)(D) of this Section.

v) In the event that the seal gap measurements do not conform to the specifications in subsection (f)(1)(B) of this Section, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.

vi) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 724.989(b).

B) The owner or operator shall visually inspect the external floating roof in accordance with the following requirements:

i) The floating roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, any of the following conditions: holes, tears, or other openings in the rim seal or seal fabric of the floating roof; a rim seal detached from the floating roof; all or a portion of the floating roof deck being

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submerged below the surface of the liquid in the tank; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.

ii) The owner or operator shall perform an initial inspection of the external floating roof and its closure devices on or before the date that the tank becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except for the special conditions provided for in subsection (1) of this Section.

iii) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.

iv) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 724.989(b).

C) Prior to each inspection required by subsection (f)(3)(A) or (f)(3)(B), the owner or operator shall notify the Agency in advance of each inspection to provide the Agency with the opportunity to have an observer present during the inspection. The owner or operator shall notify the Agency of the date and location of the inspection as follows:

i) Prior to each inspection to measure external floating roof seal gaps as required under subsection (f)(3)(A) of this Section, written notification must be prepared and sent by the owner or operator so that it is received by the Agency at least 30 calendar days before the date the measurements are scheduled to be performed.

ii) Prior to each visual inspection of an external floating roof in a tank that has been emptied and degassed, written notification must be prepared and sent by the owner or operator so that it is received by the Agency at least 30 calendar days before refilling the tank, except when an inspection is not planned as provided for in subsection (f)(3)(C)(iii) of this Section.

iii) When a visual inspection is not planned and the owner or operator could not have known about the inspection 30 calendar days before refilling the tank, the owner or operator shall notify the Agency as soon as possible, but no later than seven calendar days before refilling of the tank. This notification may be made by telephone and immediately followed by a written explanation for why the inspection is unplanned. Alternatively, written notification, including the

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explanation for the unplanned inspection, may be sent so that it is received by the Agency at least seven calendar days before refilling the tank.

D) Procedure for determining the total surface area of gaps in the primary seal and the secondary seal:

i) The seal gap measurements must be performed at one or more floating roof levels when the roof is floating off the roof supports.

ii) Seal gaps, if any, must be measured around the entire perimeter of the floating roof in each place where a 0.32 cm (0.125 in) diameter uniform probe passes freely (without forcing or binding against the seal) between the seal and the wall of the tank and measure the circumferential distance of each such location.

iii) For a seal gap measured under subsection (f)(3) of this Section, the gap surface area must be determined by using probes of various widths to measure accurately the actual distance from the tank wall to the seal and multiplying each such width by its respective circumferential distance.

iv) The total gap area must be calculated by adding the gap surface areas determined for each identified gap location for the primary seal and the secondary seal individually, and then dividing the sum for each seal type by the nominal perimeter of the tank. These total gap areas for the primary seal and secondary seal are then compared to the respective standards for the seal type, as specified in subsection (f)(1)(B) of this Section.

BOARD NOTE: Subsections (f)(3)(D)(i) through (f)(3)(D)(iv) correspond with 40 CFR 264.1084(f)(3)(i)(D)(1) through (f)(3)(i)(D)(4), which the Board has codified here to comport with Illinois Administrative Code format requirements.

g) The owner or operator that controls air pollutant emissions from a tank by venting the tank to a control device shall meet the requirements specified in subsections (g)(1) through (g)(3) of this Section.

1) The tank must be covered by a fixed roof and vented directly through a closed-vent system to a control device in accordance with the following requirements:

A) The fixed roof and its closure devices must be designed to form a continuous barrier over the entire surface area of the liquid in the tank.

B) Each opening in the fixed roof not vented to the control device must be equipped with a closure device. If the pressure in the vapor headspace underneath the fixed roof is less than atmospheric pressure when the control device is

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operating, the closure devices must be designed to operate such that when the closure device is secured in the closed position there are no visible cracks, holes, gaps, or other open spaces in the closure device or between the perimeter of the cover opening and the closure device. If the pressure in the vapor headspace underneath the fixed roof is equal to or greater than atmospheric pressure when the control device is operating, the closure device must be designed to operate with no detectable organic emissions.

C) The fixed roof and its closure devices must be made of suitable materials that will minimize exposure of the hazardous waste to the atmosphere, to the extent practical, and will maintain the integrity of the fixed roof and closure devices throughout their intended service life. Factors to be considered when selecting the materials for and designing the fixed roof and closure devices must include the following: organic vapor permeability; the effects of any contact with the liquid and its vapor managed in the tank; the effects of outdoor exposure to wind, moisture, and sunlight; and the operating practices used for the tank on which the fixed roof is installed.

D) The closed-vent system and control device must be designed and operated in accordance with the requirements of Section 724.987.

2) Whenever a hazardous waste is in the tank, the fixed roof must be installed with each closure device secured in the closed position and the vapor headspace underneath the fixed roof vented to the control device except as follows:

A) Venting to the control device is not required, and opening of closure devices or removal of the fixed roof is allowed at the following times:

i) To provide access to the tank for performing routine inspection, maintenance, or other activities needed for normal operations. Examples of such activities include those times when a worker needs to open a port to sample liquid in the tank, or when a worker needs to open a hatch to maintain or repair equipment. Following completion of the activity, the owner or operator shall promptly secure the closure device in the closed position or reinstall the cover, as applicable, to the tank.

ii) To remove accumulated sludge or other residues from the bottom of a tank.

B) Opening of a safety device, as defined in 35 Ill. Adm. Code 725.981, is allowed at any time conditions require doing so to avoid an unsafe condition.

3) The owner or operator shall inspect and monitor the air emission control equipment in accordance with the following procedures:

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- A) The fixed roof and its closure devices must be visually inspected by the owner or operator to check for defects that could result in air pollutant emissions. Defects include, but are not limited to, any of the following: visible cracks, holes, or gaps in the roof sections or between the roof and the tank wall; broken, cracked, or otherwise damaged seals or gaskets on closure devices; and broken or missing hatches, access covers, caps, or other closure devices.
- B) The closed-vent system and control device must be inspected and monitored by the owner or operator in accordance with the procedures specified in Section 724.987.
- C) The owner or operator shall perform an initial inspection of the air emission control equipment on or before the date that the tank becomes subject to this Section. Thereafter, the owner or operator shall perform the inspections at least once every year except for the special conditions provided for in subsection (1) of this Section.
- D) In the event that a defect is detected, the owner or operator shall repair the defect in accordance with the requirements of subsection (k) of this Section.
- E) The owner or operator shall maintain a record of the inspection in accordance with the requirements specified in Section 724.989(b).
- h) The owner or operator that controls air pollutant emissions by using a pressure tank must meet the following requirements:
- 1) The tank must be designed not to vent to the atmosphere as a result of compression of the vapor headspace in the tank during filling of the tank to its design capacity.
  - 2) All tank openings must be equipped with closure devices designed to operate with no detectable organic emissions as determined using the procedure specified in Section 724.983(d).
  - 3) Whenever a hazardous waste is in the tank, the tank must be operated as a closed system that does not vent to the atmosphere except in the event that a safety device, as defined in 35 Ill. Adm. Code 725.981, is required to open to avoid an unsafe condition.
- i) The owner or operator that controls air pollutant emissions by using an enclosure vented through a closed-vent system to an enclosed combustion control device must meet the requirements specified in subsections (i)(1) through (i)(4) of this Section.
- 1) The tank must be located inside an enclosure. The enclosure must be designed and operated in accordance with the criteria for a permanent total enclosure, as specified in "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure" under 40 CFR 52.741, appendix B, incorporated by reference in 35 Ill. Adm. Code 720.111. The enclosure may have permanent or temporary openings to allow worker access; passage of material

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- into or out of the enclosure by conveyor, vehicles, or other mechanical means; entry of permanent mechanical or electrical equipment; or direct airflow into the enclosure. The owner or operator shall perform the verification procedure for the enclosure, as specified in Section 5.0 to "Procedure T--Criteria for and Verification of a Permanent or Temporary Total Enclosure", initially when the enclosure is first installed and, thereafter, annually.
- 2) The enclosure must be vented through a closed-vent system to an enclosed combustion control device that is designed and operated in accordance with the standards for either a vapor incinerator, boiler, or process heater specified in Section 724.987.
  - 3) Safety devices, as defined in 35 Ill. Adm. Code 725.981, may be installed and operated as necessary on any enclosure, closed-vent system, or control device used to comply with the requirements of subsections (i)(1) and (i)(2) of this Section.
  - 4) The owner or operator shall inspect and monitor the closed-vent system and control device as specified in Section 724.987.
- j) The owner or operator shall transfer hazardous waste to a tank subject to this Section in accordance with the following requirements:
- 1) Transfer of hazardous waste, except as provided in subsection (j)(2) of this Section, to the tank from another tank subject to this Section or from a surface impoundment subject to Section 724.985 must be conducted using continuous hard-piping or another closed system that does not allow exposure of the hazardous waste to the atmosphere. For the purpose of complying with this provision, an individual drain system is considered to be a closed system when it meets the requirements of 40 CFR 63, subpart RR, "National Emission Standards for Individual Drain Systems", incorporated by reference in 35 Ill. Adm. Code 720.111.
  - 2) The requirements of subsection (j)(1) of this Section do not apply when transferring a hazardous waste to the tank under any of the following conditions:
    - A) The hazardous waste meets the average VO concentration conditions specified in Section 724.982(c)(1) at the point of waste origination.
    - B) The hazardous waste has been treated by an organic destruction or removal process to meet the requirements in Section 724.982(c)(2).
  - k) The owner or operator shall repair each defect detected during an inspection performed in accordance with the requirements of subsection (c)(4), (e)(3), (f)(3), or (g)(3) of this Section, as follows:
    - 1) The owner or operator shall make first efforts at repair of the defect no later than five calendar days after detection, and repair must be completed as soon as possible but no later than 45 calendar days after detection except as provided in subsection (k)(2) of this Section.
    - 2) Repair of a defect may be delayed beyond 45 calendar days if the



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owner or operator determines that repair of the defect requires emptying or temporary removal from service of the tank and no alternative tank capacity is available at the site to accept the hazardous waste normally managed in the tank. In this case, the owner or operator shall repair the defect the next time the process or unit that is generating the hazardous waste managed in the tank stops operation. Repair of the defect must be completed before the process or unit resumes operation.

- 1) Following the initial inspection and monitoring of the cover, as required by the applicable provisions of this Subpart, subsequent inspection and monitoring may be performed at intervals longer than one year under the following special conditions:
  - 1) In the case when inspecting or monitoring the cover would expose a worker to dangerous, hazardous, or other unsafe conditions, then the owner or operator may designate a cover as an "unsafe to inspect and monitor cover" and comply with all of the following requirements:

A) Prepare a written explanation for the cover stating the reasons why the cover is unsafe to visually inspect or to monitor, if required.

B) Develop and implement a written plan and schedule to inspect and monitor the cover, using the procedures specified in the applicable Section of this Subpart, as frequently as practicable during those times when a worker can safely access the cover.

- 2) In the case when a tank is buried partially or entirely underground, an owner or operator is required to inspect and monitor, as required by the applicable provisions of this Section, only those portions of the tank cover and those connections to the tank (e.g., fill ports, access hatches, gauge wells, etc.) that are located on or above the ground surface.

(Source: Amended at 22 Ill. Reg. 17972, effective SEP 28 1998)

## Section 724.990 Reporting Requirements

- a) Each owner or operator managing hazardous waste in a tank, surface impoundment, or container exempted from using air emission controls under the provisions of Section 724.982(c) shall report to the Agency each occurrence when hazardous waste is placed in the waste management unit in noncompliance with the conditions specified in Section 724.982(c)(1) or (c)(2), as applicable. Examples of such occurrences include placing in the waste management unit a hazardous waste having an average VO concentration equal to or greater than 500 ppmw at the point of waste origination or placing in the waste management unit a treated hazardous waste that fails to meet the applicable conditions specified in Section 724.982(c)(2)(A) through (c)(2)(F). The owner or

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operator shall submit a written report within 15 calendar days of the time that the owner or operator becomes aware of the occurrence. The written report shall contain the USEPA identification number, the facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent recurrence of the noncompliance. The report shall be signed and dated by an authorized representative of the owner or operator.

- b) Each owner or operator using air emission controls on a tank in accordance with the requirements of Section 724.984(c) shall report to the Agency each occurrence when hazardous waste is managed in the tank in noncompliance with the conditions specified in Section 724.984(b). The owner or operator shall submit a written report within 15 calendar days of the time that the owner or operator becomes aware of the occurrence. The written report shall contain the USEPA identification number, the facility name and address, a description of the noncompliance event and the cause, the dates of the noncompliance, and the actions taken to correct the noncompliance and prevent recurrence of the noncompliance. The report shall be signed and dated by an authorized representative of the owner or operator.

- c) Each owner or operator using a control device in accordance with the requirements of Section 724.987 shall submit a semiannual written report to the Agency, except as provided for in subsection (d) of this Section. The report shall describe each occurrence during the previous 6-month period when either of the two following events occurs: a control device is operated continuously for 24 hours or longer in noncompliance with the applicable operating values defined in Section 724.935(c)(4) or a flare is operated with visible emissions for five minutes or longer in a two-hour period, as defined in Section 724.933(d). The written report shall include the USEPA identification number, the facility name and address, and an explanation why the control device could not be returned to compliance within 24 hours, and actions taken to correct the noncompliance. The report shall be signed and dated by an authorized representative of the owner or operator.

- d) A report to the Agency in accordance with the requirements of subsection (c) of this Section is not required for a 6-month period during which all control devices subject to this Subpart are operated by the owner or operator so that both of the following conditions result: during no period of 24 hours or longer did a control device operate continuously in noncompliance with the applicable operating values defined in Section 724.935(c)(4) and no flare was operated with visible emissions for five minutes or longer in a two-hour period, as defined in Section 724.933(d).

(Source: Amended at 22 Ill. Reg. 17972, effective SEP 28 1998)

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## SUBPART EE: HAZARDOUS WASTE MUNITIONS AND EXPLOSIVES STORAGE

## SECTION 724.1200 APPLICABILITY

The requirements of this Subpart EE apply to owners or operators who store munitions and explosive hazardous wastes, except as Section 724.101 provides otherwise.

**BOARD NOTE:** Depending on explosive hazards, hazardous waste munitions and explosives may also be managed in other types of storage units, including containment buildings (Subpart DD of this Part), tanks (Subpart J of this Part), or containers (Subpart I of this Part); see 35 Ill. Adm. Code 726.305 for storage of waste military munitions.

(Source: Added at 22 Ill. Reg.

SEP 8 1998

17972, effective

## SECTION 724.1201 DESIGN AND OPERATING STANDARDS

a) An owner or operator of a hazardous waste munitions and explosives storage unit shall design and operate the unit with containment systems, controls, and monitoring that fulfill each of the following requirements:

- 1) The owner or operator minimizes the potential for detonation or other means of release of hazardous waste, hazardous constituents, hazardous decomposition products, or contaminated run-off to the soil, ground water, surface water, and atmosphere; The owner or operator provides a primary barrier, which may be a container (including a shell) or tank, designed to contain the hazardous waste;
  - 2) For wastes stored outdoors, the owner or operator provides that the waste and containers will not be in standing precipitation;
  - 3) For liquid wastes, the owner or operator provides a secondary containment system that assures that any released liquids are contained and promptly detected and removed from the waste area or a vapor detection system that assures that any released liquids or vapors are promptly detected and an appropriate response taken (e.g., additional containment, such as overpacking or removal from the waste area); and
  - 4) The owner or operator provides monitoring and inspection procedures that assure the controls and containment systems are working as designed and that releases that may adversely impact human health or the environment are not escaping from the unit.
- Hazardous waste munitions and explosives stored under this Subpart EE may be stored in one of the following:

- 1) Earth-covered magazines. The owner or operator of an earth-covered magazine shall fulfill each of the following requirements:

A) The magazine is constructed of waterproofed, reinforced

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concrete or structural steel arches, with steel doors that are kept closed when not being accessed;

B) The magazine is so designed and constructed that it fulfills each of the following requirements:

- i) The magazine is of sufficient strength and thickness to support the weight of any explosives or munitions stored and any equipment used in the unit;
- ii) The magazine provides working space for personnel and equipment in the unit; and
- iii) The magazine can withstand movement activities that occur in the unit; and

C) The magazine is located and designed, with walls and earthen covers that direct an explosion in the unit in a safe direction, so as to minimize the propagation of an explosion to adjacent units and to minimize other effects of any explosion.

2) Above-ground magazines. Above-ground magazines must be located and designed so as to minimize the propagation of an explosion to adjacent units and to minimize other effects of any explosion.

3) Outdoor or open storage areas. Outdoor or open storage areas must be located and designed so as to minimize the propagation of an explosion to adjacent units and to minimize other effects of any explosion.

c) An owner or operator shall store hazardous waste munitions and explosives in accordance with a standard operating procedure that specifies procedures that ensure safety, security, and environmental protection. If these procedures serve the same purpose as the security and inspection requirements of Section 724.114, the preparedness and prevention procedures of Subpart C of this Part, and the contingency plan and emergency procedures requirements of Subpart D of this Part, then the standard operating procedure may be used to fulfill those requirements.

d) An owner or operator shall package hazardous waste munitions and explosives to ensure safety in handling and storage.

e) An owner or operator shall inventory hazardous waste munitions and explosives at least annually.

f) An owner or operator shall inspect and monitor hazardous waste munitions and explosives and their storage units as necessary to ensure explosives safety and to ensure that there is no migration of contaminants out of the unit.

(Source: Added at 22 Ill. Reg.

SEP 8 1998

17972, effective

## SECTION 724.1202 CLOSURE AND POST-CLOSURE CARE

a) At closure of a magazine or unit that stored hazardous waste under this Subpart, the owner or operator shall remove or decontaminate all



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waste residues, contaminated containment system components, contaminated subsoils, and structures and equipment contaminated with waste and manage them as hazardous waste unless 35 Ill. Adm. Code 721.103(d) applies. The closure plan, closure activities, cost estimates for closure, and financial responsibility for magazines or units must meet all of the requirements specified in Subparts G and H of this Part, except that the owner or operator may defer closure of the unit as long as it remains in service as a munitions or explosives magazine or storage unit.

- b) If, after removing or decontaminating all residues and making all reasonable efforts to effect removal or decontamination of contaminated components, subsoils, structures, and equipment as required in subsection (a) of this Section, the owner or operator finds that not all contaminated subsoils can be practicably removed or decontaminated, the owner or operator shall close the facility and perform post-closure care in accordance with the closure and post-closure requirements that apply to landfills (see Section 724.410).

(Source: Added 22 Ill. Reg. 179.72, effective SEP 28 1998)

## Section 724.APPENDIX I Groundwater Monitoring List

- a) The regulatory requirements pertain only to the list of substances; the right hand columns (Methods and PQL) are given for informational purposes only. See also subsections (e) and (f) of this Section.
- b) Common names are those widely used in government regulations, scientific publications and commerce; synonyms exist for many chemicals.
- c) "CAS RN" means "Chemical Abstracts Service Registry Number". Where "total" is entered, all species in the groundwater that contain this element are included.
- d) CAS index names are those used in the 9th Cumulative index.
- e) "Suggested Methods" refer to analytical procedure numbers used in "Test Methods for Solid Waste," SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111. Analytical details can be found in "Test Methods", and in documentation of file with USEPA. The packed column gas chromatography methods 8010, 8020, 8030, 8040, 8060, 8080, 8090, 8110, 8120, 8140, 8150, 8240, and 8250 were in Update IIB of SW-846. However, in Update III, USEPA replaced these methods with "capillary column gas chromatography (GC) methods", as the suggested methods. Caution:--The methods listed are representative procedures and may not always be the most suitable methods for monitoring--an analyte--under

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## the regulations:

- f) Practical Quantitation Limits ("PQLs") are the lowest concentrations of analytes in groundwater that can be reliably determined within specified limits of precision and accuracy by the indicated methods under routine laboratory operating conditions. The PQLs listed are generally stated to one significant figure. Caution: The PQL values in many cases are based only on a general estimate for the method and not on a determination for individual compounds; PQLs are not part of the regulation.
- g) PCBs (CAS RN 1336-36-3). This category contains congener chemicals, including constituents Aroclor-1016 (CAS RN 12674-11-2), Aroclor-1221 (CAS RN 11104-28-2), Aroclor-1232 (CAS RN 11141-16-5), Aroclor-1242 (CAS RN 53469-21-9), Aroclor-1248 (CAS RN 12672-29-6), Aroclor-1254 (CAS RN 11097-69-1) and Aroclor-1260 (CAS RN 11096-82-5). The PQL shown is an average value for PCB congeners.
- h) PCDDs. This category includes congener chemicals, including tetrachlorodibenzo-p-dioxins (see also 2,3,7,8-TCDD), pentachlorodibenzo-p-dioxins and hexachlorodibenzo-p-dioxins. The PQL shown is an average value for PCDD congeners.
- i) PCDFs. This category contains congener chemicals, including tetrachlorodibenzofurans, pentachlorodibenzofurans and hexachlorodibenzofurans. The PQL shown is an average for all PCDF congeners.



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Common Name	CAS RN	Chemical Abstracts Service Index Name	Suggested methods	PQL (ug/L)
Acenaphthene	83-32-9	Acenaphthylene, 1,2-dihydro-	8100	200.
Acenaphthylene	208-96-8	Acenaphthylene	8270 8100 8270	10. 200. 10.
Acetone	67-64-1	2-Propanone	8240	100.
Acetophenone	98-86-2	Ethanone, 1-phenyl-	8270	10.
Acetonitrile; Methyl cyanide	75-05-8	Acetonitrile	8015	100.
2-Acetylaminofluorene; 2-AAF	53-96-3	Acetamide,	8270	10.
Acrolein	107-02-8	N-9H-fluorene-2-yl-2-Propenal	8030 8240 8030	5. 5. 5.
Acrylonitrile	107-13-1	2-Propenenitrile	8240	5.
Aldrin	309-00-2	1,4:5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro-1,4,4a,5,8,8a-hexahydro-	8080 8270	0.05 10.
Allyl chloride	107-05-1	(1alpha, 4alpha, 4beta, 8alpha, 8beta)-1-Propene, 3-chloro-	8010 8240 8270	5. 100. 10.
4-Aminobiphenyl	92-67-1	[1,1'-Biphenyl]-4-amine	8270	10.
Aniline	62-53-3	Benzenamine	8100	200.
Anthracene	120-12-7	Anthracene	6010 7040 8270	10. 300. 2000.
Antimony	(Total)	Antimony	6010 7040 8270	10. 30. 10.
Aramite	140-57-8	Sulfurous acid, 2-chloroethyl 2-[4-(1,1-dimethylethyl)phenoxy]-1-methylethyl ester	6010 7060 7061	500. 10. 20.
Arsenic	(Total)	Arsenic	6010 7060 7061	10. 20. 1000.
Barium	(Total)	Barium	7080	1000.
Benzene	71-43-2	Benzene	8020 8240	2. 5.
Benzo[a]anthracene; Benzanthrane	56-55-3	Benzo[a]anthracene	8100 8270	200. 10.
Benzo[b]fluoranthene	205-99-2	Benzo[e]acephenanthrylene	8100	200.
Benzo[k]fluoranthene	207-08-9	Benzo[k]fluoranthene	8270 8100 8270	10. 200. 10.
Benzo[ghi]perylene	191-24-2	Benzo[ghi]perylene	8100 8270 8100	200. 10. 200.
Benzo[a]pyrene	50-32-8	Benzo[a]pyrene	8270	10.
Benzenemethanol	100-51-6	Benzenemethanol	8270 6010 7090	20. 3. 50.
Beryllium	(Total)	Beryllium	7091	2.
alpha-BHC	319-84-6	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3beta, 4alpha, 5beta, 6beta)-	8080 8250	0.05 10.
beta-BHC	319-85-7	Cyclohexane, 2,3,4,5,6-hexachloro-, (1alpha, 2beta, 3alpha, 4beta, 5alpha, 6beta)-	8080 8250	0.05 40.
delta-BHC	319-86-8	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3alpha, 4beta, 5alpha, 6beta)-	8080	0.1
gamma-BHC; Lindane	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3beta, 4alpha, 5alpha, 6beta)-	8250	10.
Bis(2-chloroethoxy) methane	111-91-1	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-	8270	10.
Bis(2-chloroethyl) ether	111-44-4	Ethane, 1,1'-oxybis[2-chloro-	8270	10.
Bis(2chloro-1-methylethyl) ether; 2,2'-Dichlorodiisopropyl ether	108-60-1	Propane, 2,2'-oxybis [1-chloro-	8010	100.
Bis(2-ethylhexyl) phthalate	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl)ester	8270	20.
Bromodichloromethane	75-27-4	Methane, bromodichloro-	8010	1.
Bromoform; Tribromomethane	75-25-2	Methane, tribromo-	8240 8270	5. 10.
4-Bromophenyl phenyl ether	101-55-3	Benzene, 1-bromo-4-phenoxy-	8060	5.
Butyl benzyl phthalate;	85-68-7	1,2-Benzenedicarboxylic acid, butyl phenylomethyl ester	8270	10.

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Benzo[k]fluoranthene	207-08-9	Benzo[k]fluoranthene	8270 8100 8270	10. 200. 10.
Benzo[ghi]perylene	191-24-2	Benzo[ghi]perylene	8100 8270 8100	200. 10. 200.
Benzo[a]pyrene	50-32-8	Benzo[a]pyrene	8270	10.
Benzyl alcohol	100-51-6	Benzenemethanol	8270 6010 7090	20. 3. 50.
Beryllium	(Total)	Beryllium	7091	2.
alpha-BHC	319-84-6	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3beta, 4alpha, 5beta, 6beta)-	8080 8250	0.05 10.
beta-BHC	319-85-7	Cyclohexane, 2,3,4,5,6-hexachloro-, (1alpha, 2beta, 3alpha, 4beta, 5alpha, 6beta)-	8080 8250	0.05 40.
delta-BHC	319-86-8	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3alpha, 4beta, 5alpha, 6beta)-	8080	0.1
gamma-BHC; Lindane	58-89-9	Cyclohexane, 1,2,3,4,5,6-hexachloro-, (1alpha, 2alpha, 3beta, 4alpha, 5alpha, 6beta)-	8250	10.
Bis(2-chloroethoxy) methane	111-91-1	Ethane, 1,1'-[methylenebis(oxy)]bis[2-chloro-	8270	10.
Bis(2-chloroethyl) ether	111-44-4	Ethane, 1,1'-oxybis[2-chloro-	8270	10.
Bis(2chloro-1-methylethyl) ether; 2,2'-Dichlorodiisopropyl ether	108-60-1	Propane, 2,2'-oxybis [1-chloro-	8010	100.
Bis(2-ethylhexyl) phthalate	117-81-7	1,2-Benzenedicarboxylic acid, bis(2-ethylhexyl)ester	8270	20.
Bromodichloromethane	75-27-4	Methane, bromodichloro-	8010	1.
Bromoform; Tribromomethane	75-25-2	Methane, tribromo-	8240 8270	5. 10.
4-Bromophenyl phenyl ether	101-55-3	Benzene, 1-bromo-4-phenoxy-	8060	5.
Butyl benzyl phthalate;	85-68-7	1,2-Benzenedicarboxylic acid, butyl phenylomethyl ester	8270	10.







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Ethyl methanesulfonate	62-50-0	2-methyl-, ethyl ester	8240 8270	5. 10.
Famphur	52-85-7	Methanesulfonic acid, ethyl ester	8270	10.
Fluoranthene	206-44-0	Phosphorothioic acid, 0-[4- [(dimethylamino)sulfonyl]- phenyl]-0,0-dimethyl ester	8270	10.
Fluorene	86-73-7	Fluoranthene	8100 8270	200. 10.
Heptachlor	76-44-8	4,7-Methano-1H-indene, 1,4,5,6,7,8,8- heptachloro-3a,4,7,7a- tetrahydro-	8100 8270	200. 10.
Heptachlor epoxide	1024-57-3	2,5-Methano-2H-indeno[1,2-b] oxirene,2,3,4,5, 6,7,7-heptachloro- 1a,1b,5,5a,6,6a-hexahydro-, (1alpha,1bbeta,2alpha, 5alpha,5abeta,6beta, 6aalpha)-	8080 8270	1. 10.
Hexachlorobenzene	118-74-1	Benzene, hexachloro-	8120	0.5
Hexachlorobutadiene	87-68-3	1,3-Butadiene, 1,1,2,3,4,4- hexachloro-	8270 8120 8270	10. 5. 10.
Hexachlorocyclopentadiene	77-47-4	1,3-Cyclopentadiene, 1,2,3,4,5,5- hexachloro-	8120	5.
Hexachloroethane	67-72-1	Ethane, hexachloro-	8270	10.
Hexachlorophene	70-30-4	Phenol, 2,2'-methylenebis [3,4,6-trichloro- 1-propene, 1,1,2,3,3,3 -hexachloro-	8120 8270 8270	0.5 10. 10.
Hexachloropropene	1888-71-7	2-Hexanone	\$8270	10.
2-Hexanone	591-78-6	Indeno[1,2,3-cd]pyrene	8240	50.
Isobutyl alcohol	78-83-1	1-Propanol, 2-methyl-	8100	200.
Isodrin	465-73-6	1,4,5,8-Dimethanonaphthalene, 1,2,3,4,10,10-hexachloro- 1,4a,5,8a-hexahydro- (1alpha,4alpha,4beta,4beta, 5beta,8beta,8abeta)- 2-Cyclohexen-1-one, 3,5,5-trimethyl	8270 8015 8270	10. 50. 10.
Isophorone	78-59-1		8090 8270	60. 10.

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Isosafrole	120-58-1	1,3-Benzodioxole, 5-(1-propenyl)-	8270	10.
Kepone	143-50-0	1,3,4-Metheno-2H cyclobuta- [c,d]pentalen-2-one, 1,1a,3,3a,4,5,5a,5b,6- decachlorooctahydro-	8270	10.
Lead	(Total)	Lead	6010 7420 7421 7470	40. 1000. 10. 2.
Mercury	(Total)	Mercury	8015	5.
Methacrylonitrile	126-96-7	2-Propenenitrile, 2-methyl-	8240	5.
Methapyrilene	91-80-5	1,2-Ethanediamine, N,N-dimethyl-N'-2- pyridinyl-N'-(2-thienyl methyl)-	8270	10.
Methoxychlor	72-43-5	Benzene, 1,1'-(2,2,2- trichloroethylidene)bis [4-methoxy-	8010	20.
Methyl bromide; tcl	74-83-9	Methane, bromo-	8240	10.
Bromomethane	74-87-3	Methane, chloro-	8010	1.
Methyl chloride; Chloromethane	56-49-5	Benz[j]aceanthrylene, 1,2-dihydro-3-methyl-	8240	10.
3-Methylcholanthrene	74-95-3	Methane, dibromo-	8010	15.
Methylene bromide; Dibromomethane	75-09-2	Methane, dichloro-	8240	5.
Methylene chloride; Dichloromethane	78-93-3	2-Butanone	8015	5.
Methyl ethyl ketone; MEK	74-88-4	Methane, iodo-	8240	100.
Methyl iodide; Iodomethane	80-62-6	2-Propenoic acid, 2-methyl-, methyl ether	8010	5.
Methyl methacrylate	66-27-3	Methanesulfonic acid, methyl ester	8270	10.
Methyl methanesulfonate	91-57-6	Naphthylene, 2-methyl-	8270	10.
2-Methylnaphthalene	298-00-0	Phosphorothioic acid, 0,0-dimethyl0-	8140	5.
Methyl parathion; Parathion methyl	108-10-1	(4-nitrophenyl) ester	8270	10.
4-Methyl-2-pentanone; Methyl isobutyl ketone	91-20-3	2-Pentanone, 4-methyl-	8015	5.
Naphthalene		Naphthalene	8240 8100 8270	50. 200. 10.

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1,4-Naphthoquinone	130-15-4	1,4-Naphthalenedione	8270	10.
1-Naphthylamine	134-32-7	1-Naphthalenamine	8270	10.
2-Naphthylamine	91-59-8	2-Naphthalenamine	8270	10.
Nickel	(Total)	Nickel	6010	50.
			7520	400.
o-Nitroaniline	88-74-4	Benzenamine, 2-nitro-	8270	50.
m-Nitroaniline	99-09-2	Benzenamine, 3-nitro-	8270	50.
p-Nitroaniline	100-01-6	Benzenamine, 4-nitro-	8270	50.
Nitrobenzene	98-95-3	Benzene, nitro-	8090	40.
			8270	10.
o-Nitrophenol	88-75-5	Phenol, 2-nitro-	8040	5.
			8270	10.
p-Nitrophenol	100-02-7	Phenol, 4-nitro-	8040	10.
			8270	50.
4-Nitroquinoline	56-57-5	Quinoline, 4-nitro-, 1-oxide	8270	10.
1-Nitrosodi-n-butylamine	924-16-3	1-Butanamine, N-butyl-N-nitroso-	8270	10.
N-Nitrosodiethylamine	55-18-5	Ethanamine, N-ethyl-N-nitroso-	8270	10.
N-Nitrosodimethylamine	62-75-9	Methanamine, N-methyl-N-nitroso-	8270	10.
N-Nitrosodiphenylamine	86-30-6	Benzenamine, N-nitroso-N-phenyl-	8270	10.
N-Nitrosodipropylamine	621-64-7	1-Propanamine, N-nitroso-N-propyl-	8270	10.
Di-n-propylnitrosamine		N-nitroso-N-propyl-	8270	10.
N-Nitrosomethylethy- lamine	10595-95-6	Ethanamine, N-methyl-N- nitroso	8270	10.
N-Nitrosomorpholine	59-89-2	Morpholine, 4-nitroso-	8270	10.
N-Nitrosopiperidine	100-75-4	Piperidine, 1-nitroso-	8270	10.
N-Nitrosopyrrolidine	930-55-2	Pyrrolidine, 1-nitroso-	8270	10.
5-Nitro-o-toluidine	99-55-8	Benzenamine, 2-methyl-5-nitro-	8270	10.
Parathion	56-38-2	Phosphorothioic acid, 0,0-diethyl-0- (4-nitrophenyl) ester	8270	10.
Polychlorinated biphenyls; PCBs	See (g)	1,1'-Biphenyl, chloro derivatives	8080	50.
Polychlorinated dibenzo-p-dioxins; PCDDs	See (h)	Dibenzo[b,e][1,4]dioxin, chloro derivatives	8250	100.
			8280	0.01
Polychlorinated dibenzofurans; PCDFs	See (i)	Benzofuran, chloro derivatives	8280	0.01
Pentachlorobenzene	608-93-5	Benzene, pentachloro-	8270	10.
Pentachloroethane	76-01-7	Ethane, pentachloro-	8240	5.
			8270	10.
Pentachloronitrobenzene	82-68-8	Benzene, pentachloronitro-	8270	10.
Pentachlorophenol	87-86-5	Phenol, pentachloro-	8040	5.

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Phenacetin	62-44-2	Acetamide, N-(4-ethoxyphenyl)	8270	50.
Phenanthrene	85-01-8	Phenanthrene	8270	10.
			8100	200.
Phenol	108-95-2	Phenol	8270	10.
p-Phenylenediamine	106-50-3	1,4-Benzenediamine	8040	1.
Phorate	298-02-2	Phosphorodithioic acid, 0,0-diethyl S-[(ethylthio)methyl] ester	8270	10.
			8140	2.
2-Picoline	109-06-8	Pyridine, 2-methyl-	8270	10.
Pronamide	23950-58-5	Benzamide, 3,5- dichloro-N-(1,1- dimethyl-2-propenyl)- Propanenitrile	8240	5.
			8270	10.
Propionitrile; Ethyl cyanide	107-12-0	Propanenitrile	8015	60.
Pyrene	129-00-0	Pyrene	8240	5.
Pyridine	110-86-1	Pyridine	8100	200.
			8270	10.
Saftrole	94-59-7	1,3-Benzodioxole, 5-(2-propenyl)-	8240	5.
Selenium	(Total)	Selenium	8270	10.
			8270	10.
Silver	(Total)	Silver	6010	750.
			7740	20.
			7741	20.
Silvex; 2,4,5-TP	93-72-1	Propanoic acid, 2-(2,4,5- trichlorophenoxy)-	6010	70.
			7760	100.
Styrene	100-42-5	Benzene, ethenyl-	8150	2.
Sulfide	18496-25-8	Sulfide	8020	1.
			8240	5.
			9030	10000.
2,4,5-T; 2,4,5- Trichlorophenoxyacetic acid	93-76-5	Acetic acid, (2,4,5- trichlorophenoxy)-	8150	2.
2,3,7,8-TCDD; 2,3,7,8- Tetrachlorodibenzo -p-dioxin	1746-01-8	Dibenzo[b,e][1,4]dioxin, 2,3,7,8-tetrachloro-	8280	0.005
1,2,4,5-Tetrachloro- benzene	95-95-3	Benzene, 1,2,4,5- tetrachloro-	8270	10.
1,1,1,2-Tetrachloroe- thane	630-20-6	tetrachloro	8010	5.
			8240	5.

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1,1,2,2-Tetrachloroethane	7934-5	Ethane, 1,1,2,2-tetrachloro	8010	0.5
Tetrachloroethylene;	127-18-4	Ethene, tetrachloro-	8010	0.5
Perchloroethylene;			8240	5.
Tetrachloroethene				
2,3,4,6-Tetrachloro-phenol	58-90-2	Phenol, 2,3,4,6)-tetrachloro-	8270	10.
Tetraethyl dithiopyrophosphate;	3689-24-5	Thiodiphosphoric acid ([ (HO)2P(S) ]2O), tetraethyl ester	8270	10.
Sulfotepp				
Thallium	(Total)	Thallium	6010	400.
			7840	1000.
Tin	(Total)	Tin	7841	10.
Toluene	108-88-3	Benzene, methyl-	7870	8000.
			8020	2.
O-Toluidine	95-53-4	Benzenamine, 2-methyl-	8240	5.
Toxaphene	8001-35-2	Toxaphene	8270	10.
			8080	2.
			8250	10.
1,2,4-Trichlorobenzene	120-82-1	Benzene, 1,2,4-trichloro-	8270	10.
1,1,1-Trichloroethane;	71-55-6	Ethane, 1,1,1-trichloro-	8240	5.
Methyl chloroform				
1,1,2-Trichloroethane	79-00-5	Ethane, 1,1,2-trichloro-	8010	0.2
			8240	5.
Trichloroethylene;	79-01-6	Ethene, trichloro-	8010	1.
Trichloroethene			8240	5.
Trichlorofluoromethane	75-69-4	Methane, trichlorofluoro-	8010	10.
			8240	5.
2,4,5-Trichlorophenol	95-96-4	Phenol, 2,4,5-trichloro-	8270	10.
2,4,6-Trichlorophenol	88-06-2	Phenol, 2,4,6-trichloro-	8040	5.
			8270	10.
1,2,3-Trichloropropane	96-18-4	Propane, 1,2,3-trichloro-	8010	10.
			8240	5.
O,O,O-Triethyl phosphorothioate	126-68-1	O,O,O Phosphorothioic acid, triethyl ester	8270	10.
sym-Trinitrobenzene	99-35-4	Benzene, 1,3,5-trinitro-	6010	80.
Vanadium	(Total)	Vanadium	7910	2000.
			7911	40.
Vinyl acetate	108-05-4	Acetic acid, ethenyl ester	8240	5.
Vinyl chloride	75-01-4	Ethene, chloro-	8010	2.
			8240	10.
Xylene (total)	1330-20-7	Benzene, dimethyl-	8020	5.
			8240	5.
Zinc	(Total)	Zinc	6010	20.
			7950	50.

(Source: Amended at 22 Ill. Reg. effective

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- 1) Heading of the Part: Standards for the Management of Specific Hazardous Waste and Specific Types of Hazardous Waste Management Facilities

- 2) Code Citation: 35 Ill. Adm. Code 726

<u>Section Numbers:</u>	<u>Adopted Action:</u>
726.204	Amended
726.206	Amended
726.207	Amended
726.300	Added
726.301	Added
726.302	Added
726.303	Added
726.304	Added
726.305	Added
726.306	Added
726.Appendix I	Amended

- 4) Statutory Authority: 415 ILCS 5/22.4 and 27

- 5) Effective date of amendments: September 28, 1998

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Do these amendments contain incorporations by reference? Yes. 35 Ill. Adm. Code 720.111 is the central incorporation of all documents by reference for the purposes of all of 35 Ill. Adm. Code 702 through 705, 720 through 726, 728, 730, 733, 738, and 739. The text of part 726 involved in this proceeding includes incorporations by reference. Some of the amendments in this proceeding affect the incorporations

- 8) A copy of the adopted amendments and the Board's opinion and order of August 20, 1998, including any material incorporated by reference, are on file in the Board's principal office and is available for public inspection.

- 9) Notice of proposal published in Illinois Register: June 12, 1998, 22 Ill. Reg. 10240

- 10) Has JCAR issued a Statement of Objections to these rules? No

Section 22.4(a) of the Environmental Protection Act [415 ILCS 5/22.4(a)] provides that Section 5 of the Illinois Administrative Procedure Act [5 ILCS 100/5-35 and 5-40] shall not apply. Because this rulemaking is not subject to Section 5 of the IPFA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version: The following table

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

indicates the segments of text revised since the proposal for public comment in consolidated docket R97-21/R98-3/R98-5. The table indicates the nature of the changes to each cited provision.

## Revisions to the Text of the Proposed Amendments in Final Adoption

<u>Section Revised</u>	<u>Revision(s)</u>
726.204(a)(1)	Changed "below" to "of this Section" (twice); changed "%" to "percent" (twice); put equation into formula format; corrected indent levels of equation and defined variables
726.204(a)(3)	Changed "%" to "percent;" changed "above" to "of this Section" (twice)
726.204(a)(5)	Changed "above" to "of this Section"
726.204(b)(1)	Changed "below" to "of this Section"
726.204(c)(1)	Changed "below" to "of this Section"
726.204(c)(3)	Changed "above" to "of this Section"
726.204(d)	Corrected "subsections (c) above or (f) below" to "subsection (c) or (f) of this Section;" changed "above" to "of this Section"
726.204(e)	Changed "below" to "of this Section;" corrected "l'10(-5)" to "lx10(-5)"
726.204(e)(3)	Changed "above" to "of this Section"
726.204(f)	Changed "above" to "of this Section"
726.204(f)(2)	Changed "%" to "percent"
726.204(g)	Changed "above" to "of this Section" (twice)
726.206(a)	Changed "below" to "of this Section" (twice)
726.206(b)	Changed "below" to "of this Section"
726.206(b)(2)(A)	Changed equation from italic to standard text font; corrected indent levels of equation and defined variables; placed period at end of defined variables (twice)

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726.206(b)(2)(A)	Corrected indent levels of equation and defined variables; placed period at end of defined variable
726.206(b)(2)(C)	Changed "above" to "of this Section"
726.206(b)(3)(A)	Corrected indent levels of equation and defined variables; placed period at end of defined variable
726.206(b)(4)	Changed "5" to "five"
726.206(b)(6)	Corrected indent levels of equation and defined variables
726.206(b)(7)	Changed "below" to "of this Section" (twice)
726.206(b)(7)(C)	Added conjunction "or" at the end
726.206(b)(7)(D)	Deleted conjunction "or" at the end
726.206(b)(7)(E)	Added subsection, indicating it as overstruck
726.206(c)	Changed "above" to "of this Section"
726.206(c)(2)	Changed equation from italic to standard text font; corrected indent levels of equation and defined variables; placed period at end of defined variables (twice)
726.206(c)(3)	Changed "above" to "of this Section"
726.206(c)(4)	Changed "above" to "of this Section"
726.206(c)(5)(B)	Changed "above" to "of this Section"
726.206(d)(2)	Changed "below" to "of this Section" (twice)
726.206(d)(2)	Changed equation from italic to standard text font; corrected indent levels of equation and defined variables; placed period at end of defined variables
726.206(d)(6)	Changed "above" to "of this Section"
726.206(e)	Changed "above" to "of this Section"

## POLLUTION CONTROL BOARD

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726.206(f)(1)	Changed "below" to "of this Section"; changed "above" to "of this Section"
726.206(f)(2)	Changed "above" to "of this Section"
726.206(f)(2)(A)	Changed "below" to "of this Section"
726.206(f)(2)(B)(i)	Changed "below" to "of this Section"
726.206(f)(2)(B)(ii)	Changed "above" to "of this Section"
726.207(f)	Changed to singular "Method"
726.301 "chemical agents" and "chemical munitions"	Changed appearance of defined terms from "chemical agents and munitions" to "chemical agents" and "chemical munitions"
726.301 "military range"	Changed commas to semicolons to separate elements of a series (twice); added "areas" for clarity; changed "which" to "that"
726.301 "unexploded ordnance"	Changed "which" to "that"
726.302(a)(2)	Added "it" for clarity
726.302(b)(2)	Removed unnecessary conjunction "or" from between intermediate elements of a series
726.302(c)(1)	Corrected to singular "purpose"
726.302(d)	Removed section symbol from citations (three times); changed ampersand "&" to "and" in citation; added USC citation
726.303(a)(1)	Corrected cross-reference to "35 Ill. Adm. Code 721"
726.303(a)(1)(C)	Changed "military-owned or operated" to "military-owned or -operated" (twice)
726.303(b)	Added "conditional"; divided subsection into four subsections
726.303(b)(1)	Added "conditional" (twice); added "with the Agency"

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

- 726.303(b)(2) Added "conditional" (four times); reorganized and reworded to "it shall reinstate . . . in writing"; reorganized and reworded "The Agency's decision . . . shall be"; changed "such factors as" to "the nature of the risks . . . and either"; changed "a" to "any"; added "If the Agency . . . denied the application."
- 726.303(b)(3) Changed "in the preceding subsection" to "under the preceding subsection"; added "in writing"; changed "the Agency" to "it"; added "its consideration of . . . this Section"; added "If the Agency terminates . . . the reinstated exemption."
- 726.303(b)(4) Added reference to statutory right to appeal
- 726.303(c) Corrected "subsection (a)(1)(B)" to "subsection (a)(1)(ii)" to
- 726.303 Board Note Added explanatory parenthetical "(40 CFR 266.203(a)(1)(ii) corresponds with 35 Ill. Adm. Code 726.303(a)(1)(B).)"; corrected statutory title to "Illinois Administrative Procedure Act"
- 726.305(a)(1) Removed unnecessary comma before "are"
- 726.305(a)(1)(D) Removed surplus word "within"
- 726.305(c) Divided subsection into four subsections
- 726.305(c)(2) Reorganized and reworded to "it shall reinstate . . . in writing"; reorganized and reworded "The Agency's decision . . . shall be"; changed "such factors as" to "the nature of the risks . . . and either"; changed "a" to "any"; added "If the Agency . . . denied the application."
- 726.305(c)(3) Changed "in the preceding subsection" to "under the preceding subsection"; added "in writing"; changed "he/she" to "it"; added "its consideration of . . . this Section"; added "If the Agency terminates . . . the reinstated exemption."
- 726.305(c)(4) Added reference to statutory right to appeal

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## NOTICE OF ADOPTED AMENDMENTS

- 726.305 Board Note Corrected statutory title to "Illinois Administrative Procedure Act"
- 726.306 Section Added missing word "munitions" to heading heading
- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreements issued by JCAR? Section 22.4(a) of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR. The Board has, however, made a number of changes in the text of the amendments in response to comments by JCAR staff.
- 13) Will these amendments replace emergency amendments currently in effect? No
- 14) Are there any other amendments pending on this Part? No
- 15) Summary and purpose of amendments: A more detailed description is contained in the Board's opinion and order of August 20, 1998, adopting amendments in consolidated dockets R97-21/R98-3/R98-5, which opinion and order is available from the address below. As is explained in that opinion, the Board has delayed filing of these amendments for 30 days, as is required under the State's agreement with USEPA, in order to give USEPA Region V an opportunity to review the adopted amendments before they became final.
- This proceeding updates the Illinois RCRA Subtitle C hazardous waste rules to correspond with amendments adopted by USEPA that appeared in the Federal Register during two update periods and one underground injection control (UIC) period. The three separate dockets and time periods that are involved in this proceeding are the following:
- R97-21 Federal RCRA Subtitle C amendments that occurred during the period July 1, 1996, through December 31, 1996.
- R98-3 Federal UIC amendments that occurred in the period January 1, 1997, through June 30, 1997.
- R98-5 Federal RCRA Subtitle C amendments that occurred in the period January 1, 1997, through June 30, 1997.
- The consolidated dockets amend rules in Parts R97-21/R98-3/R98-5 proceeding of which the amendments to Parts 703, 720, 721, 722, 723, 724,



## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

725, 726, 728 and 738. The following table briefly summarizes the federal actions in these periods:

61 Fed. Reg. 34251  
(July 1, 1996)

USEPA adopted revisions establishing that only those nonmunicipal nonhazardous waste disposal units that meet specific standards may receive conditionally exempt small quantity generator (CESQG) hazardous wastes.

61 Fed. Reg. 36419  
(July 10, 1996)

USEPA corrected typographic errors in certain of the April 8, 1996 Phase III land disposal restriction (LDR) amendments.

61 Fed. Reg. 40520  
(August 5, 1996)

USEPA authorized additional segments of the Illinois RCRA Subtitle C hazardous waste program.

61 Fed. Reg. 43927  
(August 26, 1996)

USEPA adopted emergency amendments to the April 8, 1996 Phase III land disposal restrictions (LDR) treatment standards for carbamate wastes due to analytical problems with those wastes.

61 Fed. Reg. 56631  
(November 4, 1996)

USEPA published a correction to the text of its rules in the Code of Federal Regulations (40 CFR 266.100(c)(3)(i)) due to the fact that segments were missing from the text.

61 Fed. Reg. 59931  
(November 25, 1996)

USEPA adopted "final" organic air emission standards for tanks, surface impoundments, and containers (the "Subpart CC" rules).

62 Fed. Reg. 1678  
(January 13, 1997)

USEPA adopted a change in name and ownership of Envirote Corp.

62 Fed. Reg. 1834  
(January 14, 1997)

USEPA amended the addresses for its Region V headquarters.

62 Fed. Reg. 1991  
(January 14, 1997)

USEPA extended the national capacity variance for spent potliners from primary aluminum production (K088 waste) for 6 months.

62 Fed. Reg. 6621  
(February 12, 1997)

USEPA amended various parts of the rules to identify when conventional and chemical military munitions become hazardous waste under RCRA.

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62 Fed. Reg. 7502  
(February 19, 1997)

USEPA adopted technical amendments to the tables in the Phase III land disposal restriction rule.

62 Fed. Reg. 25998  
(May 12, 1997)

USEPA adopted the Phase IV land disposal restriction amendments for hazardous waste generated from wood processing operations.

62 Fed. Reg. 32452  
(June 13, 1997)

USEPA amended the hazardous waste testing and monitoring regulations.

62 Fed. Reg. 32974  
(June 17, 1997)

USEPA amended to hazardous waste regulations regarding delisting of carbamate waste as hazardous under RCRA.

The Board has already taken or does not need to take action based on some of these federal RCRA Subtitle C and UIC amendments. The Board dealt with the federal actions of July 10, 1996, August 26, 1996, November 25, 1996, January 14, 1997, February 19, 1997, and June 17, 1997, in the prior consolidated R96-10/R97-5 RCRA Subtitle C/UIC update docket, adopted on November 6, 1997, and filed with the Secretary of State on December 16, 1997. For a variety of other reasons, the Board will not to amend the Illinois regulations in response to others of the federal actions. Those other actions on which no action will be required include the August 5, 1996 federal authorization of additional elements of the Illinois RCRA Subtitle C hazardous waste program, the federal CFR correction of November 4, 1996, and the January 13, 1997, federal change in the Envirote hazardous waste delisting.

Thus, the Board has acted in this consolidated R97-21/R98-3/R98-5 docket on the following USEPA amendments:

61 Fed. Reg. 34251  
(July 1, 1996)

CESQG waste rules.

62 Fed. Reg. 1834  
(January 14, 1997)

Amendments to USEPA addresses.

62 Fed. Reg. 6621  
(February 12, 1997)

Military munitions rules.

62 Fed. Reg. 25998  
(May 12, 1997)

Phase IV land disposal restriction amendments.

62 Fed. Reg. 32452  
(June 13, 1997)

Amended hazardous waste testing and monitoring rules.

Specifically, the amendments to Part 726 implement segments of the

## POLLUTION CONTROL BOARD

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February 12, 1997, military munitions rules and the June 13, 1997, hazardous waste testing and monitoring amendments.

Section 22.4 of the Environmental Protection Act provides that Section 5 of the Illinois Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the IAPA, it is not subject to first notice or to second notice review by JCAR.

16) Information and questions regarding these adopted amendments shall be directed to:

Michael J. McCambridge  
Attorney  
Illinois Pollution Control Board  
100 W. Randolph 11-500  
Chicago IL 60601  
312-814-6924

Request copies of the Board's opinion and order of August 20, 1998 from Victoria Agyeaman at 312-814-3620. Please refer to consolidated docket number R97-21/R98-3/R98-5.

The full text of the Adopted Amendments begins on the next page:

## POLLUTION CONTROL BOARD

## NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER C: HAZARDOUS WASTE OPERATING REQUIREMENTS

## PART 726

STANDARDS FOR THE MANAGEMENT OF  
SPECIFIC HAZARDOUS WASTE AND SPECIFIC TYPES  
OF HAZARDOUS WASTE MANAGEMENT FACILITIES

SUBPART C: RECYCLABLE MATERIALS USED IN A  
MANNER CONSTITUTING DISPOSAL

Section  
726.120  
726.121  
  
726.122  
  
726.123

Applicability  
Standards applicable to generators and transporters of materials used in a manner that constitutes disposal  
Standards applicable to storers, who are not the ultimate users, of materials that are to be used in a manner that constitutes disposal  
Standards Applicable to Users of Materials that are Used in a Manner that Constitutes Disposal

SUBPART D: HAZARDOUS WASTE BURNED FOR ENERGY RECOVERY

Section  
726.130  
726.131  
726.132  
726.133  
  
726.134  
726.135  
726.136

Applicability (Repealed)  
Prohibitions (Repealed)  
Standards applicable to generators of hazardous waste fuel (Repealed)  
Standards applicable to transporters of hazardous waste fuel (Repealed)  
Standards applicable to marketers of hazardous waste fuel (Repealed)  
Standards applicable to burners of hazardous waste fuel (Repealed)  
Conditional exemption for spent materials and by-products exhibiting a characteristic of hazardous waste (Repealed)

SUBPART E: USED OIL BURNED FOR ENERGY RECOVERY (Repealed)

Section  
726.140  
726.141  
726.142  
  
726.143  
  
726.144

Applicability (Repealed)  
Prohibitions (Repealed)  
Standards applicable to generators of used oil burned for energy recovery (Repealed)  
Standards applicable to marketers of used oil burned for energy recovery (Repealed)  
Standards applicable to burners of used oil burned for energy recovery (Repealed)

SUBPART F: RECYCLABLE MATERIALS UTILIZED FOR

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## PRECIOUS METAL RECOVERY

## Applicability and requirements

Section  
726.170

SUBPART G: SPENT LEAD-ACID BATTERIES  
BEING RECLAIMED

## Applicability and requirements

Section  
726.180

SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS  
AND INDUSTRIAL FURNACES

## Applicability

Section  
726.200

## Management prior to Burning

726.201  
726.202

## Permit standards for Burners

726.203  
726.204

## Interim Status Standards for Burners

726.205  
726.206

## Standards to Control Organic Emissions

726.207  
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## Standards to Control Metals Emissions

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## Standards to control HCl and Chlorine Gas Emissions

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## Small quantity On-site Burner Exemption

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## SUBPART M: MILITARY MUNITIONS

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726.309  
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## Standards Applicable to the Treatment and Disposal of Waste Military Munitions

726.311  
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APPENDIX A Tier I and Tier II Feed Rate and Emissions Screening Limits for Metals

APPENDIX B Tier I Feed Rate Screening Limits for Total Chlorine

APPENDIX C Tier II Emission Rate Screening Limits for Free Chlorine and Hydrogen Chloride

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## APPENDIX D

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## APPENDIX L

## APPENDIX M

## TABLE A

## Exempt Quantities for Small Quantity Burner Exemption

## AUTHORITY: Implementing Section 22.4 and authorized by Section 27 of the Environmental Protection Act [415 ILCS 5/22.4 and 27].

## SOURCE: Adopted in R85-22 at 10 Ill. Reg. 1162, effective January 2, 1986; amended in R86-1 at 10 Ill. Reg. 14156, effective August 12, 1986; amended in R87-26 at 12 Ill. Reg. 2900, effective January 15, 1988; amended in R89-1 at 13 Ill. Reg. 18606, effective November 13, 1989; amended in R90-2 at 14 Ill. Reg. 14533, effective August 22, 1990; amended in R90-11 at 15 Ill. Reg. 9727, effective June 17, 1991; amended in R91-13 at 16 Ill. Reg. 9858, effective June 9, 1992; amended in R92-10 at 17 Ill. Reg. 5865, effective March 26, 1993; amended in R93-4 at 17 Ill. Reg. 20904, effective November 22, 1993; amended in R94-7 at 18 Ill. Reg. 12500, effective July 29, 1994; amended in R95-6 at 19 Ill. Reg. 10006, effective June 27, 1995; amended in R95-20 at 20 Ill. Reg. 11263, effective August 1, 1996; amended in R96-10/R97-3/R97-5 at 22 Ill. Reg. 754, effective December 16, 1997; amended in R97-21/R98-3/R98-5 at 22 Ill. Reg. 18042 effective SEP 28 1998

## SUBPART H: HAZARDOUS WASTE BURNED IN BOILERS AND INDUSTRIAL FURNACES

## Section 726.204 Standards to control Organic Emissions

## a) DRE standard.

## 1) General. Except as provided in subsection (a)(3) of this Section above, a BIF burning hazardous waste must achieve a DRE of 99.99 percent % for all organic hazardous constituents in the waste feed. To demonstrate conformance with this requirement, 99.99 percent % DRE must be demonstrated during a trial burn for each principal organic hazardous constituent (POHC) designated (under subsection (a)(2) of this Section above) in its permit for each waste feed. DRE is determined for each POHC from the following equation:



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DRE--100(I---0)/I

(I-O)

DRE=100

I

where:

I = Mass feed rate of one POHC in the hazardous waste fired to the BIF; and  
 O = Mass emission rate of the same POHC present in stack gas prior to release to the atmosphere.

2) Designation of POHCs. POHCs are those compounds for which compliance with the DRE requirements of this Section must be demonstrated in a trial burn in conformance with procedures prescribed in 35 Ill. Adm. Code 703.232. One or more POHCs must be designated by the Agency for each waste feed to be burned. POHCs must be designated based on the degree of difficulty of destruction of the organic constituents in the waste and on their concentrations or mass in the waste feed considering the results of waste analyses submitted with Part B of the permit application. POHCs are most likely to be selected from among those compounds listed in 35 Ill. Adm. Code 721. Appendix H that are also present in the normal waste feed. However, if the applicant demonstrates to the Agency that a compound not listed in 35 Ill. Adm. Code 721. Appendix H or not present in the normal waste feed is a suitable indicator of compliance with the DRE requirements of this Section, that compound must be designated as a POHC. Such POHCs need not be toxic or organic compounds.

3) Dioxin-listed waste. A BIF burning hazardous waste containing (or derived from) USEPA Hazardous Wastes Nos. F020, F021, F022, F023, F026, or F027 must achieve a destruction and removal efficiency (DRE) of 99.9999 percent for each POHC designated (under subsection (a)(2) of this Section) in its permit. This performance must be demonstrated on POHCs that are more difficult to burn than tetra-, penta- and hexachlorodibenzo-p-dioxins and dibenzofurans. DRE is determined for each POHC from the equation in subsection (a)(1) of this Section above. In addition, the owner or operator of the BIF shall notify the Agency of intent to burn USEPA Hazardous Waste Nos. F020, F021, F022, F023, F026 or F027.

4) Automatic waiver of DRE trial burn. Owners and operators of boilers operated under the special operating requirements provided by Section 726.210 are considered to be in compliance

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with the DRE standard of subsection (a)(1) of this Section above and are exempt from the DRE trial burn.

5) Low risk waste. Owners and operators of BIFs that burn hazardous waste in compliance with the requirements of Section 726.209(a) are considered to be in compliance with the DRE standard of subsection (a)(1) of this Section above and are exempt from the DRE trial burn.

b) CO standard.

1) Except as provided in subsection (c) of this Section below, the stack gas concentration of CO from a BIF burning hazardous waste cannot exceed 100 ppmv on an hourly rolling average basis (i.e., over any 60 minute period), continuously corrected to 7 percent oxygen, dry gas basis.

2) CO and oxygen must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Carbon Monoxide and Oxygen for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Section 726. Appendix I.

3) Compliance with the 100 ppmv CO limit must be demonstrated during the trial burn for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). To demonstrate compliance, the highest hourly rolling average CO level during any valid run of the trial burn or compliance test must not exceed 100 ppmv.

c) Alternative CO standard.

1) The stack gas concentration of CO from a BIF burning hazardous waste may exceed the 100 ppmv limit provided that stack gas concentrations of HCs do not exceed 20 ppmv, except as provided by subsection (f) of this Section below for certain industrial furnaces.

2) HC limits must be established under this Section on an hourly rolling average basis (i.e., over any 60 minute period), reported as propane, and continuously corrected to 7 percent oxygen, dry gas basis.

3) HC must be continuously monitored in conformance with "Performance Specifications for Continuous Emission Monitoring of Hydrocarbons for Incinerators, Boilers, and Industrial Furnaces Burning Hazardous Waste" in Section 726. Appendix I. CO and oxygen must be continuously monitored in conformance with subsection (b)(2) of this Section above.

4) The alternative CO standard is established based on CO data during the trial burn (for a new facility) and the compliance test (for an interim status facility). The alternative CO standard is the average over all valid runs of the highest hourly average CO level for each run. The CO limit is implemented on an hourly rolling average basis, and continuously corrected to 7 percent oxygen, dry gas basis.

d) Special requirements for furnaces. Owners and operators of industrial

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furnaces (e.g., kilns, cupolas) that feed hazardous waste for a purpose other than solely as an ingredient (see Section 726.203(a)(5)(B)) at any location other than the end where products are normally discharged and where fuels are normally fired must comply with the HC limits provided by subsection (c) above or (f) of this Section below irrespective of whether stack gas CO concentrations meet the 100 ppmv limit of subsection (b) of this Section above.

e) Controls for dioxins and furans. Owners and operators of BIFs that are equipped with a dry PM control device that operates within the temperature range of 450 through 750° F, and industrial furnaces operating under an alternative HC limit established under subsection (f) of this Section below shall conduct a site-specific risk assessment as follows to demonstrate that emissions of chlorinated dibenzo-p-dioxins and dibenzofurans do not result in an increased lifetime cancer risk to the hypothetical maximum exposed individual (WEI) exceeding  $1 \times 10^{-5}$  (1 in 100,000):

1) During the trial burn (for new facilities or an interim status facility applying for a permit) or compliance test (for interim status facilities), determine emission rates of the tetra-octa congeners of chlorinated dibenzo-p-dioxins (PCDDs) and dibenzofurans (CDDs/CDFs) using Method 0023A, "Sampling Method for Polychlorinated Dibenzo-p-dioxins and Polychlorinated Dibenzofurans Emissions from Stationary Sources," US EPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111 "Determination of Polychlorinated Dibenzo-p-dioxins and Polychlorinated Dibenzofurans from Stationary Sources" and from Stationary Sources, in Appendix I;

2) Estimate the 2,3,7,8-TCDD toxicity equivalence of the tetra-octa CDDs/CDFs congeners using "Procedures for Estimating the Toxicity Equivalence of Chlorinated Dibenzo-p-dioxin and Dibenzofuran Congeners" in Section 726.206 Appendix I. Multiply the emission rates of CDD/CDF congeners with a toxicity equivalence greater than zero (see the procedure) by the calculated toxicity equivalence factor to estimate the equivalent emission rate of 2,3,7,8-TCDD;

3) Conduct dispersion modeling using methods recommended in 40 CFR 51, Appendix W, as incorporated by reference at 35 Ill. Adm. Code 720.111 ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), the "Hazardous Waste Combustion Air Quality Screening Procedure", provided in Appendix I, or in "Screening Procedures for Estimating Air Quality Impact of Stationary Sources, Revised" (incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration of 2,3,7,8-TCDD equivalents determined under subsection (e)(2) of this Section above. The maximum annual average on-site concentration must be used when a person resides on-site; and

4) The ratio of the predicted maximum annual average ground level

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concentration of 2,3,7,8-TCDD equivalents to the risk-specific dose (RSD) for 2,3,7,8-TCDD provided in Section 726.206 Appendix E (2.2x10<sup>-7</sup>) must not exceed 1.0.

f) Monitoring CO and HC in the by-pass duct of a cement kiln. Cement kilns may comply with the CO and HC limits provided by subsections (b), (c) and (d) of this Section above by monitoring in the by-pass duct provided that:

1) Hazardous waste is fired only into the kiln and not at any location downstream from the kiln exit relative to the direction of gas flow; and

2) The by-pass duct diverts a minimum of 10 percent of kiln off-gas into the duct.

g) Use of emissions test data to demonstrate compliance and establish operating limits. Compliance with the requirements of this Section must be demonstrated simultaneously by emissions testing or during separate runs under identical operating conditions. Further, data to demonstrate compliance with the CO and HC limits of this Section or to establish alternative CO or HC limits under this Section must be obtained during the time that DRE testing, and where applicable, CDD/CDF testing under subsection (e) of this Section above and comprehensive organic emissions testing under subsection (f) of this Section above is conducted.

h) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

(Source: Amendment 22 Ill. Reg. 18042, effective SEP 28 1998)

## Section 726.206 Standards to control Metals Emissions

a) General. The owner or operator shall comply with the metals standards provided by subsections (b), (c), (d), (e) or (f) of this Section below for each metal listed in subsection (b) of this Section below that is present in the hazardous waste at detectable levels using analytical procedures specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111.

b) Tier I feed rate screening limits. Feed rate screening limits for metals are specified in Section 726.206 Appendix A as a function of terrain-adjusted effective stack height (TESH) and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in subsection (b)(7) of this Section below.

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- 1) Noncarcinogenic metals. The feed rates of the noncarcinogenic metals in all feed streams, including hazardous waste, fuels and industrial furnace feed stocks must not exceed the screening limits specified in Section 726. Appendix A.

A) The feed rate screening limits for antimony, barium, mercury, thallium and silver are based on either:

- i) An hourly rolling average as defined in Sections 726.200(g) and 726.202(e)(6)(A)(ii); or
- ii) An instantaneous limit not to be exceeded at any time.

B) The feed rate screening limit for lead is based on one of the following:

- i) An hourly rolling average as defined in Sections 726.200(g) and 726.202(e)(6)(A)(ii);
- ii) An averaging period of 2 to 24 hours as defined in Section 726.202(e)(6)(B) with an instantaneous feed rate limit not to exceed 10 times the feed rate that would be allowed on an hourly rolling average basis;

or

- iii) An instantaneous limit not to be exceeded at any time.

2) Carcinogenic metals.

A) The feed rates of carcinogenic metals in all feed streams, including hazardous waste, fuels and industrial furnace feed stocks must not exceed values derived from the screening limits specified in Section 726. Appendix A. The feed rate of each of these metals is limited to a level such that the sum of the ratios of the actual feed rate to the feed rate screening limit specified in Section 726. Appendix A must not exceed 1.0, as provided by the following equation:

$$\sum_{i=1}^n \frac{A[i]}{F[i]} \leq 1.0$$

where:

$\sum A[i]/F[i]$  means the sum of the values of  $A/F$  for each metal "i", from  $i = 1$  to  $n$ .

$n$  = number of carcinogenic metals.

$A[i]$  = the actual feed rate to the device for metal "i".

$F[i]$  = the feed rate screening limit provided by Section 726. Appendix A for metal "i".

B) The feed rate screening limits for the carcinogenic metals are based on either:

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- i) An hourly rolling average; or
- ii) An averaging period of 2 to 24 hours, as defined in Section 726.202(e)(6)(B), with an instantaneous feed rate limit not to exceed 10 times the feed rate that would be allowed on an hourly rolling average basis.

3) TESH (terrain adjusted effective stack height).

- A) The TESH is determined according to the following equation:

$$TESH = H + P - T$$

where:

$H$  = Actual physical stack height (m).

$P$  = Plume rise (in m) as determined from Section 726. Appendix F as a function of stack flow rate and stack gas exhaust temperature.

$T$  = Terrain rise (in m) within five kilometers of the stack.

- B) The stack height ( $H$ ) must not exceed good engineering practice stack height, as defined in Section 726.200(g).

C) If the TESH calculated pursuant to subsection (b)(3)(A) of this Section above is not listed in Sections 726. Appendix A through 726. Appendix C, the values for the nearest lower TESH listed in the table must be used. If the TESH is four meters or less, a value based on four meters must be used.

- 4) Terrain type. The screening limits are a function of whether the facility is located in noncomplex or complex terrain. A device located where any part of the surrounding terrain within five kilometers of the stack equals or exceeds the elevation of the physical stack height ( $H$ ) is considered to be in complex terrain and the screening limits for complex terrain apply. Terrain measurements are to be made from U.S. Geological Survey 7.5-minute topographic maps of the area surrounding the facility.

5) Land use. The screening limits are a function of whether the facility is located in an area where the land use is urban or rural. To determine whether land use in the vicinity of the facility is urban or rural, procedures provided in Section 726. Appendix I or Section 726. Appendix J shall be used.

- 6) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls of metals emissions under a RCRA permit or interim status controls shall comply with the screening limits for all such units assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics. The stack with the lowest value of  $K$



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is the worst-case stack. K is determined from the following equation as applied to each stack:

$$K = H \times V \times T$$

Where:

K = a parameter accounting for relative influence of stack height and plume rise;

H = physical stack height (meters);

V = stack gas flow rate ( $m^3/sec$  (cubic meters per second)); and

T = exhaust temperature (degrees K).

- 7) Criteria for facilities not eligible for screening limits. If any criteria below are met, the Tier I (and Tier II) screening limits do not apply. Owners and operators of such facilities shall comply with either the Tier III standards provided by subsection (d) of this Section below or with the adjusted Tier I feed rate screening limits provided by subsection (e) of this Section below.

- A) The device is located in a narrow valley less than one kilometer wide;
- B) The device has a stack taller than 20 meters and is located such that the terrain rises to the physical height within one kilometer of the facility;
- C) The device has a stack taller than 20 meters and is located within five kilometers of a shoreline of a large body of water such as an ocean or large lake; or
- D) The physical stack height of any stack is less than 2.5 times the height of any building within five building heights or five projected building widths of the stack and the distance from the stack to the closest boundary is within five building heights or five projected building widths of the associated building; or.

B) ~~The Agency determines that standards-based-on-site-specific dispersion modeling are required.~~

- 8) Implementation. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate screening limits are not exceeded.

- c) Tier II emission rate screening limits. Emission rate screening limits are specified in Section 726.Appendix A as a function of TESH and terrain and land use in the vicinity of the facility. Criteria for facilities that are not eligible to comply with the screening limits are provided in subsection (b)(7) of this Section above.

- 1) Noncarcinogenic metals. The emission rates of noncarcinogenic

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metals must not exceed the screening limits specified in Section 726.Appendix A.

- 2) Carcinogenic metals. The emission rates of carcinogenic metals must not exceed values derived from the screening limits specified in Section 726.Appendix A. The emission rate of each of these metals is limited to a level such that the sum of the ratios of the actual emission rate to the emission rate screening limit specified in Appendix A must not exceed 1.0, as provided by the following equation:

$$\sum_{i=1}^n \frac{A[i]}{E[i]} \leq 1.0$$

where:

$\sum_{i=1}^n A[i]/E[i]$  means the sum of the values of A/E for each metal "i", from i = 1 to n.

n = number of carcinogenic metals.

A[i] = the actual emission rate for metal "i".

E[i] = the emission rate screening limit provided by Section 726.Appendix A for metal "i".

- 3) Implementation. The emission rate limits must be implemented by limiting feed rates of the individual metals to levels during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). The feed rate averaging periods are the same as provided by subsections (b)(1)(A), (b)(1)(B), and (b)(2)(B) of this Section above. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate limits for the feedstreams specified under Sections 726.202 or 726.203 are not exceeded.

- 4) Definitions and limitations. The definitions and limitations provided by this subsection (b) of this Section above and 726.200(g) for the following terms also apply to the Tier II emission rate screening limits provided by this subsection (c): TESH, good engineering practice stack height, terrain type, land use and criteria for facilities not eligible to use the screening limits.

- 5) Multiple stacks.

A) Owners and operators of facilities with more than one on-site stack from a BIR, incinerator or other thermal treatment unit subject to controls on metals emissions under a RCRA permit or interim status controls shall comply with

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the emissions screening limits for any such stacks assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics.

- B) The worst-case stack is determined by procedures provided in subsection (b)(6) of this Section above.

- C) For each metal, the total emissions of the metal from those stacks must not exceed the screening limit for the worst-case stack.

- d) Tier III site-specific risk assessment. The requirements of this subsection apply to facilities complying with either the Tier III or Adjusted Tier I except where specified otherwise.

- 1) General. Conformance with the Tier III metals controls must be demonstrated by emissions testing to determine the emission rate for each metal. In addition, conformance with either Tier III or Adjusted Tier I metals controls must be demonstrated by air dispersion modeling to predict the maximum annual average off-site ground level concentration for each metal and a demonstration that acceptable ambient levels are not exceeded.

- 2) Acceptable ambient levels. Sections 726.Appendix D and 726.Appendix E list the acceptable ambient levels for purposes of this Subpart. Reference air concentrations (RACs) are listed for the noncarcinogenic metals and  $1 \times 10^{-5}$  RSDs are listed for the carcinogenic metals. The RSD for a metal is the acceptable ambient level for that metal provided that only one of the four carcinogenic metals is emitted. If more than one carcinogenic metal is emitted, the acceptable ambient level for the carcinogenic metals is a fraction of the RSD as described in subsection (d)(3) of this Section below.

- 3) Carcinogenic metals. For the carcinogenic metals the sum of the ratios of the predicted maximum annual average off-site ground level concentrations (except that on-site concentrations must be considered if a person resides on site) to the RSD for all carcinogenic metals emitted must not exceed 1.0 as determined by the following equation:

$$\sum_{i=1}^n \frac{P[i]/R[i]}{R[i]} \leq 1.0$$

$$SUM(P[i]/R[i]) \leq 1.0$$

where:

$SUM \frac{P[i]/R[i]}{R[i]}$  means the sum of the values of P/R for each metal "i", from  $i = 1$  to  $n$ .

$n$  = number of carcinogenic metals.

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$P[i]$  = the predicted ambient concentration for metal i.

$R[i]$  = the RSD for metal i.

- 4) Noncarcinogenic metals. For the noncarcinogenic metals, the predicted maximum annual average off-site ground level concentration for each metal must not exceed the RAC.

- 5) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls on metals emissions under a RCRA permit or interim status controls shall conduct emissions testing (except that facilities complying with Adjusted Tier I controls need not conduct emissions testing) and dispersion modeling to demonstrate that the aggregate emissions from all such on-site stacks do not result in an exceedance of the acceptable ambient levels.

- 6) Implementation. Under Tier III, the metals controls must be implemented by limiting feed rates of the individual metals to levels during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). The feed rate averaging periods are the same as provided by subsections (b)(1)(A), (b)(1)(B), and (b)(2)(B) of this Section above. The feed rate of metals in each feedstream must be monitored to ensure that the feed rate limits for the feedstreams specified under Sections 726.202 or 726.203 are not exceeded.

- e) Adjusted Tier I feed rate screening limits. The owner or operator may adjust the feed rate screening limits provided by Section 726.Appendix A to account for site-specific dispersion modeling. Under this approach, the adjusted feed rate screening limit for a metal is determined by back-calculating from the acceptable ambient levels provided by Sections 726.Appendix D and 726.Appendix E using dispersion modeling to determine the maximum allowable emission rate. This emission rate becomes the adjusted Tier I feed rate screening limit. The feed rate screening limits for carcinogenic metals are implemented as prescribed in subsection (b)(2) of this Section above.

- f) Alternative implementation approaches.

- 1) Pursuant to subsection (f)(2) of this Section below the Agency shall approve on a case-by-case basis approaches to implement the Tier II or Tier III metals emission limits provided by subsections (c) or (d) of this Section above alternative to monitoring the feed rate of metals in each feedstream.

- 2) The emission limits provided by subsection (d) of this Section above must be determined as follows:

- A) For each noncarcinogenic metal, by back-calculating from the RAC provided in Section 726.Appendix D to determine the allowable emission rate for each metal using the dilution factor for the maximum annual average ground level

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concentration predicted by dispersion modeling in conformance with subsection (h) of this Section below; and

B) For each carcinogenic metal by:

- i) Back-calculating from the RSD provided in Section 726.207 to determine the allowable emission rate for each metal if that metal were the only carcinogenic metal emitted using the dilution factor for the maximum annual average ground level concentration predicted by dispersion modeling in conformance with subsection (h) of this Section below; and

- ii) If more than one carcinogenic metal is emitted, selecting an emission limit for each carcinogenic metal not to exceed the emission rate determined by subsection (f)(2)(B)(i) of this Section above, such that the sum for all carcinogenic metals of the ratios of the selected emission limit to the emission rate determined by that subsection does not exceed 1.0.

## g) Emission testing.

- 1) General. Emission testing for metals must be conducted using Method 0060, "Determinations of Metals in Stack Emissions," USEPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111 the Multiple-Metals Train-as-described-in-Appendix f.

- 2) Hexavalent chromium. Emissions of chromium are assumed to be hexavalent chromium unless the owner or operator conducts emissions testing to determine hexavalent chromium emissions using procedures prescribed in Method 0061, "Determination of Hexavalent Chromium Emissions from Stationary Sources," USEPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111 Appendix-f.

- h) Dispersion modeling. Dispersion modeling required under this Section must be conducted according to methods recommended in 40 CFR 51, appendix W ("Guideline on Air Quality Models (Revised)" (1986) and its supplements), the "Hazardous Waste Combustion Air Quality Screening Procedure" described in Section 726.207, or in "Screening Procedures for Estimating the Air Quality Impact of Stationary Sources, Revised" (incorporated by reference in 35 Ill. Adm. Code 720.111) to predict the maximum annual average off-site ground level concentration. However, on-site concentrations must be considered when a person resides on-site.

- i) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

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(Source: Amended at 22 Ill. Reg. 18042, effective SEP 28 1988.)

## Section 726.207 Standards to Control HCl and Chlorine Gas Emissions

- a) General. The owner or operator shall comply with the HCl and chlorine gas controls provided by subsections (b), (c), or (e), below.
- b) Screening limits.

- 1) Tier I feed rate screening limits. Feed rate screening limits are specified for total chlorine in Section 726.207 Appendix B as a function of TESH and terrain and land use in the vicinity of the facility. The feed rate of total chlorine and chloride, both organic and inorganic, in all feed streams, including hazardous waste, fuels and industrial furnace feed stocks must not exceed the levels specified.

- 2) Tier II emission rate screening limits. Emission rate screening limits for HCl and chlorine gas are specified in Section 726.207 Appendix C as a function of TESH and terrain and land use in the vicinity of the facility. The stack emission rates of HCl and chlorine gas must not exceed the levels specified.

- 3) Definitions and limitations. The definitions and limitations provided by Section 726.200(g) and 726.206(b) for the following terms also apply to the screening limits provided by this subsection: TESH, good engineering practice stack height, terrain type, land use and criteria for facilities not eligible to use the screening limits.

- 4) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls on HCl or chlorine gas emissions under a RCRA permit or interim status controls shall comply with the Tier I and Tier II screening limits for those stacks assuming all hazardous waste is fed into the device with the worst-case stack based on dispersion characteristics.

- A) The worst-case stack is determined by procedures provided in Section 726.206(b)(6).

- B) Under Tier I, the total feed rate of chlorine and chloride to all subject devices must not exceed the screening limit for the worst-case stack.

- C) Under Tier II, the total emissions of HCl and chlorine gas from all subject stacks must not exceed the screening limit for the worst-case stack.

- c) Tier III site-specific risk assessments.

- 1) General. Conformance with the Tier III controls must be demonstrated by emissions testing to determine the emission rate for HCl and chlorine gas, air dispersion modeling to predict the maximum annual average off-site ground level concentration for each compound, and a demonstration that acceptable ambient levels are not exceeded.



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- 2) Acceptable ambient levels. Section 726.206 Appendix D lists the RACs for HCl (7 ug/cu m) and chlorine gas (0.4 ug/cu m).
- 3) Multiple stacks. Owners and operators of facilities with more than one on-site stack from a BIF, incinerator or other thermal treatment unit subject to controls on HCl or chlorine gas emissions under a RCRA permit or interim status controls shall conduct emissions testing and dispersion modeling to demonstrate that the aggregate emissions from all such on-site stacks do not result in an exceedance of the acceptable ambient levels for HCl and chlorine gas.
- d) Averaging periods. The HCl and chlorine gas controls are implemented by limiting the feed rate of total chlorine and chloride in all feedstreams, including hazardous waste, fuels and industrial furnace feed stocks. Under Tier I, the feed rate of total chlorine and chloride is limited to the Tier I Screening Limits. Under Tier II and Tier III, the feed rate of total chlorine and chloride is limited to the feed rates during the trial burn (for new facilities or an interim status facility applying for a permit) or the compliance test (for interim status facilities). The feed rate limits are based on either:
- 1) An hourly rolling average as defined in Section 726.200(g) and 726.202(e)(6); or
  - 2) An instantaneous basis not to be exceeded at any time.
- e) Adjusted Tier I feed rate screening limits. The owner or operator may adjust the feed rate screening limit provided by Section 726.206 Appendix B to account for site-specific dispersion modeling. Under this approach, the adjusted feed rate screening limit is determined by back-calculating from the acceptable ambient level for chlorine gas provided by Section 726.206 Appendix D using dispersion modeling to determine the maximum allowable emission rate. This emission rate becomes the adjusted Tier I feed rate screening limit.
- f) Emissions testing. Emissions testing for HCl and chlorine gas (C1[2]) must be conducted using the procedures described in Method 0050 or 0051, USEPA Publication SW-846, incorporated by reference in 35 Ill. Adm. Code 720.111 Section 726.206 Appendix F-4 ("eye").
- g) Dispersion modeling. Dispersion modeling must be conducted according to the provisions of Section 726.206(h).
- h) Enforcement. For the purposes of permit enforcement, compliance with the operating requirements specified in the permit (under Section 726.202) will be regarded as compliance with this Section. However, evidence that compliance with those permit conditions is insufficient to ensure compliance with the requirements of this Section is "information" justifying modification or revocation and re-issuance of a permit under 35 Ill. Adm. Code 703.270 et seq.

(Source: Amended at 22 Ill. Reg. 18042, effective SEP 28 1998)

SUBPART M: MILITARY MUNITIONS

## POLLUTION CONTROL BOARD

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## Section 726.300 Applicability

- a) The regulations in this Subpart identify when military munitions become a solid waste, and, if these wastes are also hazardous under this Subpart M or 35 Ill. Adm. Code 721, the management standards that apply to these wastes.
- b) Unless otherwise specified in this Subpart M, all applicable requirements in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728 apply to waste military munitions.

(Source: Added at 22 Ill. Reg. 18042, effective SEP 28 1998)

## Section 726.301 Definitions

In addition to the definitions in 35 Ill. Adm. Code 720.110, the following definitions apply to this Subpart M:

"Active range" means a military range that is currently in service and is being regularly used for range activities.

"Chemical agents" and "chemical munitions" are defined as in the Department of Defense Authorization Act of 1986, 50 U.S.C. 1521(j)(1) (1997), incorporated by reference in 35 Ill. Adm. Code 720.111.

"Director" is as defined in 35 Ill. Adm. Code 702.110.

"Explosives or munitions emergency response specialist" is as defined in 35 Ill. Adm. Code 720.110.

"Explosives or munitions emergency" is as defined in 35 Ill. Adm. Code 720.110.

"Explosives or munitions emergency response" is as defined in 35 Ill. Adm. Code 720.110.

"Inactive range" means a military range that is not currently being used but that is still under military control and considered by the military to be a potential range area and that has not been put to a new use that is incompatible with range activities.

"Military" means the United States (U.S.) Department of Defense (DOD), the Armed Services, Coast Guard, National Guard, Department of Energy (DOE) or other parties under contract or acting as an agent for the foregoing who handle military munitions.

"Military munitions" is as defined in 35 Ill. Adm. Code 720.110.

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"Military range" means designated land and water areas that are set aside; managed; and used to conduct research on, develop, test, and evaluate military munitions and explosives, other ordnance, or weapon systems, or areas that are set aside, managed, and used to train military personnel in their use and handling. Ranges include firing lines and positions, maneuver areas, firing lanes, test pads, detonation pads, impact areas, and buffer zones with restricted access and exclusionary areas.

"Unexploded ordnance" or "UXO" means military munitions that have been primed, fused, armed, or otherwise prepared for action and that have been fired, dropped, launched, projected, or placed in such a manner as to constitute a hazard to operations, installation, personnel, or material and remain unexploded either by malfunction, design, or any other cause.

(Source: Added at 22 Ill. Reg. 18042, effective SEP 28 1998.)

## Section 726.302 Definition of Solid Waste

a) A military munition is not a solid waste when any of the following situations describes the munition:

1) It is used for its intended purpose, including any of the following uses:

A) Use in training military personnel or explosives and munitions emergency response specialists (including training in proper destruction of unused propellant or other munitions);

B) Use in research, development, testing, and evaluation of military munitions, weapons, or weapon systems; or

C) Recovery, collection, and on-range destruction of unexploded ordnance and munitions fragments during range clearance activities at active or inactive ranges. However, "use for intended purpose" does not include the on-range disposal or burial of unexploded ordnance and contaminants when the burial is not a result of product use.

2) It is an unused munition or component thereof, it is being repaired, reused, recycled, reclaimed, disassembled, reconfigured, or otherwise subjected to materials recovery activities, unless such activities involve use constituting disposal, as defined in 35 Ill. Adm. Code 721.102(c)(1), or it is burned for energy recovery, as defined in 35 Ill. Adm. Code 721.102(c)(2).

b) An unused military munition is a solid waste when any of the following occurs:

1) The munition is abandoned by being disposed of, burned, detonated (except during intended use as specified in subsection (a) of

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this Section), incinerated, or treated prior to disposal;

2) The munition is removed from storage in a military magazine or other storage area for the purpose of being disposed of, burned, incinerated, or treated prior to disposal;

3) The munition is deteriorated or damaged (e.g., the integrity of the munition is compromised by cracks, leaks, or other damage) to the point that it cannot be put into serviceable condition, and cannot reasonably be recycled or used for other purposes; or

4) The munition has been declared a solid waste by an authorized military official.

c) A used or fired military munition is a solid waste when either of the following activities occurs with regard to the munition:

1) The munition is transported off-range or from the site of use (where the site of use is not a range) for the purpose of storage, reclamation, treatment, disposal, or treatment prior to disposal; or

2) The munition is recovered, collected, and then disposed of by burial or landfilling either on or off a range.

d) For purposes of RCRA section 1004(27) (42 U.S.C. 6903(27) (1996)), a used or fired military munition is a solid waste, and, therefore, is potentially subject to RCRA corrective action authorities under sections 3004(u) and (v) (42 U.S.C. 6924(u) and (v) (1996)), and sections 3008(h) (42 U.S.C. 6928(h) (1996)) or to imminent and substantial endangerment authorities under section 7003 (42 U.S.C. 6963 (1996)) if the munition lands off-range and is not promptly rendered safe or retrieved. Any imminent and substantial threats associated with any remaining material must be addressed. If remedial action is infeasible, the operator of the range shall maintain a record of the event for as long as any threat remains. The record shall include the type of munition and its location (to the extent the location is known).

(Source: Added at 22 Ill. Reg. 18042, effective SEP 28 1998.)

## Section 726.303 Standards Applicable to the Transportation of Solid Waste Military Munitions

a) Criteria for hazardous waste regulation of waste non-chemical military munitions in transportation.

1) Waste military munitions that are being transported and that exhibit a hazardous waste characteristic or that are listed as hazardous waste under 35 Ill. Adm. Code 721 are subject to regulation under 35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728, unless the munitions meet all the following conditions:

A) The waste military munitions are not chemical agents or chemical munitions;



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- B) The waste military munitions are transported in accordance with the Department of Defense shipping controls applicable to the transport of military munitions;
- C) The waste military munitions are transported from a military-owned or -operated installation to a military-owned or -operated treatment, storage, or disposal facility; and
- D) The transporter of the waste shall provide oral notice to the Agency within 24 hours from the time when either the transporter becomes aware of any loss or theft of the waste military munitions or when any failure to meet a condition of subsection (a)(1) of this Section occurs that may endanger human health or the environment. In addition, a written submission describing the circumstances shall be provided within five days from the time when the transporter becomes aware of any loss or theft of the waste military munitions or when any failure to meet a condition of subsection (a)(1) of this Section occurs.
- 2) If any waste military munitions shipped under subsection (a)(1) of this Section are not received by the receiving facility within 45 days of the day the waste was shipped, the owner or operator of the receiving facility shall report this non-receipt to the Agency within five days.
- 3) The conditional exemption from regulation as hazardous waste in subsection (a)(1) of this Section shall apply only to the transportation of non-chemical waste military munitions. It does not affect the regulatory status of waste military munitions as hazardous wastes with regard to storage, treatment, or disposal.
- 4) The conditional exemption in subsection (a)(1) of this Section applies only so long as all of the conditions in subsection (a)(1) of this Section are met.
- b) Reinstatement of conditional exemption.
- 1) If any waste military munition loses its conditional exemption under subsection (a)(1) of this Section, the transporter may file with the Agency an application for reinstatement of the conditional exemption from hazardous waste transportation regulation with respect to such munition as soon as the munition is returned to compliance with the conditions of subsection (a)(1) of this Section.
- 2) If the Agency finds that reinstatement of the conditional exemption is appropriate it shall reinstate the conditional exemption of subsection (a)(1) of this Section in writing. The Agency's decision to reinstate or not to reinstate the conditional exemption shall be based on the nature of the risks to human health and the environment posed by the waste and either the transporter's provision of a satisfactory explanation of the circumstances of the violation, or any demonstration that the violations are not likely to recur. If the Agency denies an application, it shall transmit to the applicant specific,

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- detailed statements in writing as to the reasons it denied the application. In reinstating the conditional exemption under subsection (a)(1) of this Section the Agency may specify additional conditions as are necessary to ensure and document proper transportation to protect human health and the environment. If the Agency does not take action on the reinstatement application within 60 days after receipt of the application, then reinstatement shall be deemed granted retroactive to the date of the application.
- 3) The Agency may terminate a conditional exemption reinstated by default under the preceding sentence in writing if the it finds that reinstatement is inappropriate based on its consideration of the factors set forth in subsection (b)(2) of this Section. If the Agency terminates a reinstated exemption, it shall transmit to the applicant specific, detailed statements in writing as to the reasons it terminated the reinstated exemption.
- 4) The applicant under this subsection (b) may appeal the Agency's determination to deny the reinstatement, to grant the reinstatement with conditions or to terminate a reinstatement before the Board pursuant to Section 40 of the Act [415 ILCS 5/40].
- c) Amendments to DOD shipping controls. The Department of Defense shipping controls applicable to the transport of military munitions referenced in subsection (a)(1)(B) of this Section are Government Bill of Lading (GBL) (GSA Standard Form 1109), Requisition Tracking Form (DD Form 1348), the Signature and Talley Record (DD Form 1907), Special Instructions for Motor Vehicle Drivers (DD Form 936), and the Motor Vehicle Inspection Report (DD Form 626) in effect on November 8, 1995, incorporated by reference in 35 Ill. Adm. Code 720.111.
- BOARD NOTE: 40 CFR 266.203(c), as added at 62 Fed. Reg. 6655 (Feb. 12, 1997), further provides as follows: "Any amendments to the Department of Defense shipping controls shall become effective for purposes of paragraph (a)(1) of this section on the date the Department of Defense publishes notice in the Federal Register that the shipping controls referenced in paragraph (a)(1)(ii) of this section have been amended." 40 CFR 266.203(a)(1)(ii) corresponds with 35 Ill. Adm. Code 726.303(a)(1)(B). Section 5-75 of the Illinois Administrative Procedure Act [5 ILCS 100/5-75] prohibits the incorporation of later amendments and editions by reference. For this reason, interested members of the regulated community will need to notify the Board of any amendments of these references before those amendments can become effective under Illinois law.

(Source: Added ~~SEP 28 1998~~ Ill. Reg. 18048, effective



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Explosives and munitions emergencies involving military munitions or explosives are subject to 35 Ill. Adm. Code 722.110(i), 723.110(e), 724.101(g)(8), 725.101(c)(11), and 703.121(c)(3), or alternatively to 35 Ill. Adm. Code 703.221.

(Source: Added at 22 Ill. Reg. **18042**, effective **SEP 28 1998**)

### Section 726.305 Standards Applicable to the Storage of Solid Waste Military Munitions

a) Criteria for hazardous waste regulation of waste non-chemical military munitions in storage.

1) Waste military munitions in storage that exhibit a hazardous waste characteristic or are listed as hazardous waste under 35 Ill. Adm. Code 721 are listed or identified as a hazardous waste (and thus are subject to regulation under 35 Ill. Adm. Code 702, 703, 705, 720 through 726, 728, 733, and 739), unless all the following conditions are met:

A) The waste military munitions are not chemical agents or chemical munitions;

B) The waste military munitions must be subject to the jurisdiction of the Department of Defense Explosives Safety Board (DDESB);

C) The waste military munitions must be stored in accordance with the DDESB storage standards applicable to waste military munitions;

D) Within 90 days of when a storage unit is first used to store waste military munitions, the owner or operator shall notify the Agency of the location of any waste storage unit used to store waste military munitions for which the conditional exemption in subsection (a)(1) of this Section is claimed;

E) The owner or operator shall provide oral notice to the Agency within 24 hours from the time the owner or operator becomes aware of any loss or theft of the waste military munitions, or any failure to meet a condition of subsection (a)(1) of this Section that may endanger health or the environment. In addition, a written submission describing the circumstances shall be provided within five days from the time the owner or operator becomes aware of any loss or theft of the waste military munitions or any failure to meet a condition of subsection (a)(1) of this Section;

F) The owner or operator shall inventory the waste military munitions at least annually, shall inspect the waste military munitions at least quarterly for compliance with the conditions of subsection (a)(1) of this Section, and shall maintain records of the findings of these inventories and inspections for at least three years; and

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G) Access to the stored waste military munitions must be limited to appropriately trained and authorized personnel.

2) The conditional exemption in subsection (a)(1) of this Section from regulation as hazardous waste shall apply only to the storage of non-chemical waste military munitions. It does not affect the regulatory status of waste military munitions as hazardous wastes with regard to transportation, treatment or disposal.

3) The conditional exemption in subsection (a)(1) of this Section applies only so long as all of the conditions in subsection (a)(1) of this Section are met.

b) Notice of termination of waste storage. The owner or operator shall notify the Agency when a storage unit identified in subsection (a)(1)(D) of this Section will no longer be used to store waste military munitions.

c) Reinstatement of conditional exemption.

1) If any waste military munition loses its conditional exemption under subsection (a)(1) of this Section, an application may be filed with the Agency for reinstatement of the conditional exemption from hazardous waste storage regulation with respect to such munition as soon as the munition is returned to compliance with the conditions of subsection (a)(1) of this Section.

2) If the Agency finds that reinstatement of the conditional exemption is appropriate, it shall reinstate the conditional exemption of subsection (a)(1) of this Section in writing. The Agency's decision to reinstate or not to reinstate the conditional exemption shall be based on the nature of the risks to human health and the environment posed by the waste and either the owner's or operator's provision of a satisfactory explanation of the circumstances of the violation, or any demonstration that the violations are not likely to recur. If the Agency denies an application, it shall transmit to the applicant specific, detailed statements in writing as to the reasons it denied the application. In reinstating the conditional exemption under subsection (a)(1) of this Section, the Agency may specify additional conditions as are necessary to ensure and document proper storage to protect human health and the environment.

3) The Agency may terminate a conditional exemption reinstated by default under the preceding sentence in writing if it finds that reinstatement is inappropriate based on its consideration of the factors set forth in subsection (c)(2) of this Section. If the Agency terminates a reinstated exemption, it shall transmit to the applicant specific, detailed statements in writing as to the reasons it terminated the reinstated exemption.

4) The applicant under this subsection (c) may appeal the Agency's determination to deny the reinstatement, to grant the reinstatement with conditions, or to terminate a reinstatement before the Board pursuant to Section 40 of the Act [40 ILCS

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- d) Waste chemical munitions.
- 1) Waste military munitions that are chemical agents or chemical munitions and that exhibit a hazardous waste characteristic or are listed as hazardous waste under 35 Ill. Adm. Code 721, are listed or identified as a hazardous waste and shall be subject to the applicable regulatory requirements of RCRA subtitle C.
  - 2) Waste military munitions that are chemical agents or chemical munitions and that exhibit a hazardous waste characteristic or are listed as hazardous waste under 35 Ill. Adm. Code 721 are not subject to the storage prohibition in RCRA section 3004(l), codified at 35 Ill. Adm. Code 728.150.
  - e) Amendments to DDESB storage standards. The DDESB storage standards applicable to waste military munitions, referenced in subsection (a)(1)(C) of this Section, are DOD 6055.9-STD ("DOD Ammunition and Explosive Safety Standards"), in effect on November 8, 1995, incorporated by reference in 35 Ill. Adm. Code 720.111.
- BOARD NOTE: 40 CFR 266.205(e), as added at 62 Fed. Reg. 6656 (Feb. 12, 1997), further provides as follows: "Any amendments to the DDESB storage standards shall become effective for purposes of paragraph (a)(1) of this section on the date the Department of Defense publishes notice in the Federal Register that the DDESB standards referenced in paragraph (a)(1) of this section have been amended." Section 5-75 of the Illinois Administrative Procedure Act [5 ILCS 100/5-75] prohibits the incorporation of later amendments and editions by reference. For this reason, interested members of the regulated community will need to notify the Board of any amendments of these references before those amendments can become effective under Illinois law.

(Source: Added at 22 Ill. Reg. 18042, effective SEP 28 1998)

### Section 726.306 Standards Applicable to the Treatment and Disposal of Waste Military Munitions

The treatment and disposal of hazardous waste military munitions are subject to the applicable permitting, procedural, and technical standards in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, and 728.

(Source: Added at 22 Ill. Reg. 18042, effective SEP 28 1998)

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### Section 726.APPENDIX I Methods Manual for Compliance with BIF Regulations

See "Methods Manual for Compliance with BIF Regulations". This document is available from two sources. It is available through NMIS, incorporated by reference in 35 Ill. Adm. Code 720.111. It is also available as 40 CFR 266, Appendix IX, (1997), adopted at 56 Fed. Reg. 32600, July 17, 1991, and amended at 56 Fed. Reg. 42511, August 27, 1991, 57 Fed. Reg. 39566, August 25, 1992, and 57 Fed. Reg. 45001, September 30, 1992, which is incorporated by reference in 35 Ill. Adm. Code 720.111. This incorporation includes no future editions or amendments.

(Source: Amended at 22 Ill. Reg. 18042, effective SEP 28 1998)

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Procedures of the Department of State Police Merit Board

2) Code Citation: 80 Ill. Adm. Code 150

3) Section Numbers: 150.430  
Adopted Action: Amendment

4) Statutory Authority: [20 ILCS 2610/9]

5) Effective Date of Rulemaking: September 28, 1998

6) Does this rulemaking contain an automatic repeal date? No

7) Does this rulemaking contain incorporations by reference? No

8) A copy of the adopted rule, amendment, or repealer, including any material incorporated by reference, is on file in the Department's principal office and is available for public inspection.

9) Notice of Proposal Published in Illinois Register: May 15, 1998, 22 Ill. Reg. 8376

10) Has JCAR issued a Statement of Objections to these rules? No

11) Difference(s) between proposal and final version: Format changes were made in accordance with the suggestions received from the Administrative Code Unit.

12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreements issued by JCAR? Yes

13) Will this rulemaking replace an emergency rule currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rulemaking: This rule change will replace the statewide promotional list for the target rank of lieutenant into regional lists as jointly defined by the Illinois State Police and the Illinois State Police Merit Board.

16) Information and questions regarding this adopted amendment shall be directed to:

Name: James E. Seiber, Executive Director  
Address: 3180 Adloff Lane, Suite 100  
Springfield, IL 62703  
Telephone: 217/786-6240

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The full text of the Adopted Amendment begins on the next page:



## DEPARTMENT OF STATE POLICE MERIT BOARD

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TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES  
 SUBTITLE A: MERIT EMPLOYMENT SYSTEMS  
 CHAPTER IV: DEPARTMENT OF STATE POLICE MERIT BOARD

## PART 150

## PROCEDURES OF THE DEPARTMENT OF STATE POLICE MERIT BOARD

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## SUBPART E: DISCIPLINARY ACTION

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## 150.590 Notification to Officer

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Board Docket  
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 Computation of Time  
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 Service and Form of Papers

## APPENDIX A Vision Standards

## APPENDIX B Physical Fitness Standards

AUTHORITY: Implementing Sections 3 through 14 and authorized by Section 8 of the State Police Act [20 ILCS 2610/3 through 14].

SOURCE: Emergency rule adopted at 2 Ill. Reg. 10, p. 206, effective February 24, 1978, for a maximum of 150 days; emergency amendment at 2 Ill. Reg. 32, p. 37, effective July 27, 1978, for a maximum of 150 days; emergency amendments at 2 Ill. Reg. 51, p. 100, effective December 7, 1978, for a maximum of 150 days; adopted at 2 Ill. Reg. 52, p. 422, effective December 25, 1978; amended at 3 Ill. Reg. 47, p. 86, effective November 12, 1979; emergency amendment at 4 Ill. Reg. 6, p. 284, effective February 1, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 2739, effective March 2, 1981; amended at 6 Ill. Reg. 10954, effective August 31, 1982; codified at 7 Ill. Reg. 9900; amended at 7 Ill. Reg. 15018, effective November 2, 1983; emergency amendment at 8 Ill. Reg. 379, effective December 27, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 3038, effective February 23, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7894, effective May 23, 1984; amended at 9 Ill. Reg. 3721, effective March 13, 1985; amended at 9 Ill. Reg. 14328, effective September 6, 1985; recodified from the Department of Law Enforcement Merit Board to the Department of State Police Merit Board pursuant to Executive Order 85-3, effective July 1, 1985, at 10 Ill. Reg. 3283; amended at 10 Ill. Reg. 17752, effective October 1, 1986; amended at 11 Ill. Reg. 7760, effective April 14, 1987; amended at 11 Ill. Reg. 18303, effective October 26, 1987; amended at 12 Ill. Reg. 1118, effective December 24, 1987; amended at 12 Ill. Reg. 10736, effective June 13, 1988; amended at 13 Ill. Reg. 5201, effective April 3, 1989; emergency amendment at 13 Ill. Reg. 16607, effective September 29, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 19592, effective December 1, 1989; amended at 14 Ill. Reg. 3679, effective February 23, 1990; amended at 15 Ill.

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Reg. 11007, effective July 15, 1991; amended at 16 Ill. Reg. 11835, effective July 13, 1992; emergency amendment at 16 Ill. Reg. 17372, effective October 29, 1992, for a maximum of 150 days; amended at 17 Ill. Reg. 9716, effective June 10, 1993; expedited correction at 17 Ill. Reg. 14684, effective June 10, 1993; amended at 17 Ill. Reg. 21079, effective November 22, 1993; amended at 19 Ill. Reg. 6679, effective May 1, 1995; amended at 19 Ill. Reg. 7970, effective June 1, 1995; amended at 20 Ill. Reg. 404, effective December 22, 1995; emergency amendment at 20 Ill. Reg. 8062, effective June 4, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 13663, effective October 3, 1996; amended at 20 Ill. Reg. 14640, effective October 25, 1996; amended at 21 Ill. Reg. 14262, effective October 17, 1997; amended at 22 Ill. Reg. 5092, effective February 26, 1998; amended 22 Ill. Reg. 18076, effective

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## SUBPART D: CERTIFICATION FOR PROMOTION

## Section 150.430 Procedures

- a) The Board will provide each officer with official notification announcing the examination and requesting a written response respecting the officer's intention to participate.
- b) Candidates for promotion must complete examinations at the time designated by the Board in the official notification. No exceptions will be allowed.
- c) Such candidates must have taken the most recent examination offered by the Board to be eligible for certification for promotion. All candidates taking the examination for each rank will be advised of their total promotional score and standing.
- d) Promotional Process Components  
The total promotional score will consist of combined standardized scores or respective percentage weights of the components designated for each rank:

Components	Sgt, Msg	Lt, Capt, Maj
Written Examination	50% X	X
Performance		
Appraisal	45% X	X
Seniority in Rank	5 X	X
Assessment		
Exercise	NA	X

- e) Candidates for the ranks of Lieutenant, Captain, and Major will participate in a written examination, and an assessment exercise, as well as receive a performance appraisal, and a seniority score. The combined score will be standardized to a one hundred point scale. The

## DEPARTMENT OF STATE POLICE MERIT BOARD

## NOTICE OF ADOPTED AMENDMENTS

- f) The Board will certify to the Director the top 65% of those Troopers, Special Agents and Sergeants participating in the total promotional process.
- g) There will be statewide certification lists for the ranks of Lieutenant, Captain, and Major. The certification lists for Sergeant and Master Sergeant will be according to Districts and the certification lists for Lieutenant will be according to Regions, as defined jointly by the Illinois State Police and the Illinois State Police Merit Board for promotional purposes.
- h) The top ten-4 10+ candidates on each certification list for all ranks are equally eligible for promotion by the Director; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration. The Director may promote accordingly any one of the eligible candidates in accordance with Equal Employment Opportunity Commission regulations (29 CFR 1600 et seq. (July 1, 1982)) and Illinois Department of Human Rights guidelines.

1) As promotions are accepted or waived, that candidate with the next highest total promotional score on the list becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration;

2) Eligible candidates on the certification list may decline an offer of promotion without losing position on the certification list. In the event of declination, that candidate with the next highest total promotional score becomes equally eligible for promotion; however, in the event of a tied score, all candidates obtaining such score shall be equally eligible for promotional consideration.

- i) Upon written notification from the Department to the Board that a candidate on the certification list has been suspended, is on leave of absence, or has applied for disability benefits, the Board will remove the candidate's name from the certification list. The candidate's name will be restored on the list in a position in proper relation to the total promotional scores remaining when the suspension or leave of absence terminates or the disability is removed.
- j) The certification list shall remain in force until the new certification list has been established; however, in the event that a certification list becomes exhausted, the Director will file a written request with the Board asking for the certification of additional names on any one list if necessary to fill vacant positions.

(Source: Amended 22 Ill. Reg. 18076, effective

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## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Temporary Assistance for Needy Families
- 2) Code Citation: 89 Ill. Adm. Code 112
- 3) Section Numbers: Emergency Action:  
112.1 Amendment  
112.78 Amendment
- 4) Statutory Authority: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].
- 5) Effective Date of Amendments: October 1, 1998
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: N/A
- 7) Date filed with the Index Department: September 29, 1998
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the agency's principal office and is available for public inspection.
- 9) Reason for Emergency: It is important for clients to increase their working hours if they expect to leave welfare. That is one reason the Department of Human Services chose to "stop the clock" if a client worked 20 hours. However, the Department also believes this amount should increase as even more of an incentive. To this end, rules were proposed. While some comments were negative on this change, the Department is firmly committed to it. Therefore, Internal Management Information Systems (MIS) changes were made and policies were issued to make this change effective October 1998. However, the Second Notice could not be filed on time to implement these rules by October 1, 1998. The Second Notice will be filed and the proposed rules will be finally implemented during October 1998. This Emergency Amendment is needed to implement this important policy change on a timely basis on October 1, 1998.

- 10) A Complete Description of the Subject and Issues Involved: This rulemaking increases the number of hours a client must work in order for a month to not count towards the 60-month time limit under the Temporary Assistance for Needy Families (TANF) program. Currently the requirement is 20 hours per week. This is being raised to 25 hours per week for families with one adult in the household for FFY 99 (October 1, 1998 - September 30, 1999) and 30 hours per week thereafter. It is being raised to 35 hours per week for families with two adults. These requirements are referred to as the "State TANF Work Requirement" in these rules.

In addition, the number of hours a client must work while participating in Below Post-Secondary Education and Vocational Education after 24 months

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and the number of hours a client must work while participating in Post-Secondary Education has been raised to the State TANF Work Requirement level.

- 11) Are there any other amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
112.1	Amendment	22 Ill. Reg. 13286
112.9	Amendment	22 Ill. Reg. 13286
112.52	Amendment	22 Ill. Reg. 11290
112.70	Amendment	22 Ill. Reg. 13286
112.72	Amendment	22 Ill. Reg. 13286
112.74	Amendment	22 Ill. Reg. 13286
112.78	Amendment	22 Ill. Reg. 13286
112.79	Amendment	22 Ill. Reg. 13286
112.80	Amendment	22 Ill. Reg. 13286
112.110	Amendment	22 Ill. Reg. 10987
112.255	Repealed	22 Ill. Reg. 16135
112.310	New Section	22 Ill. Reg. 11683

- 12) Statement of Statewide Policy Objectives: This rulemaking neither creates nor expands a State mandate.

- 13) Information and questions regarding this amendment shall be directed to:

Ms. Susan Weir, Bureau Chief  
Bureau of Administrative Rules and Procedures  
Department of Human Services  
100 South Grand Avenue East  
3rd Floor Harris Bldg.  
Springfield, Illinois 62762  
(217) 785-9772

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

The full text of the Emergency Amendments begins on the next page:



## DEPARTMENT OF HUMAN SERVICES

## NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES  
CHAPTER IV: DEPARTMENT OF HUMAN SERVICES  
SUBCHAPTER a: GENERAL PROGRAM PROVISIONS

PART 112  
TEMPORARY ASSISTANCE FOR NEEDY FAMILIES

## SUBPART A: GENERAL PROVISIONS

Section	
112.1	Description of the Assistance Program
<u>EMERGENCY</u>	
112.5	Incorporation by Reference

## SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.8	Caretaker Relative
112.9	Client Cooperation
112.10	Citizenship
112.20	Residence
112.30	Age
112.40	Relationship
112.50	Living Arrangement
112.52	Social Security Numbers
112.54	Assignment of Medical Support Rights
112.60	Basis of Eligibility
112.61	Death of a Parent (Repealed)
112.62	Incapacity of a Parent (Repealed)
112.63	Continued Absence of a Parent (Repealed)
112.64	Unemployment of the Parent (Repealed)
112.65	Responsibility and Services Plan
112.66	Alcohol and Substance Abuse Treatment
112.67	Restriction in Payment to Households Headed by a Minor Parent
112.68	School Attendance Initiative
112.69	Felons and Violators of Parole or Probation

## SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

Section	
112.70	Employment and Work Activity Requirements
112.71	Individuals Exempt from TANF Employment and Work Activity Requirements
112.72	Participation/Cooperation Requirements
112.73	Adolescent Parent Program (Repealed)
112.74	Responsibility and Services Plan
112.75	Teen Parent Personal Responsibility Plan (Repealed)
112.76	TANF Orientation

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112.77 Reconciliation and Fair Hearings  
112.78 TANF Employment and Work Activities

EMERGENCY

112.79	Sanctions
112.80	Good Cause for Failure to Comply with TANF Participation Requirements
112.81	Responsible Relative Eligibility for JOBS (Repealed)
112.82	Supportive Services
112.83	Teen Parent Services
112.84	Work Experience Evaluation Project (Repealed)
112.85	Four Year College/Vocational Training Demonstration Project (Repealed)

## SUBPART E: PROJECT ADVANCE

Section	
112.86	Project Advance (Repealed)
112.87	Project Advance Experimental and Control Groups (Repealed)
112.88	Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
112.89	Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers (Repealed)
112.90	Project Advance Sanctions (Repealed)
112.91	Good Cause for Failure to Comply with Project Advance (Repealed)
112.93	Individuals Exempt From Project Advance (Repealed)
112.95	Project Advance Supportive Services (Repealed)

## SUBPART F: EXCHANGE PROGRAM

Section	
112.98	Exchange Program (Repealed)

## SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section	
112.100	Unearned Income
112.101	Unearned Income of Stepparent or Parent
112.105	Budgeting Unearned Income
112.106	Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
112.107	Initial Receipt of Unearned Income
112.108	Termination of Unearned Income
112.110	Exempt Unearned Income
112.115	Education Benefits
112.120	Incentive Allowances
112.125	Unearned Income In-Kind
112.126	Earmarked Income
112.127	Lump-Sum Payments
112.128	Protected Income (Repealed)

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112.130 Earned Income  
112.131 Earned Income Tax Credit  
112.132 Budgeting Earned Income  
112.133 Budgeting Earned Income of Employed Applicants  
112.134 Initial Employment  
112.135 Budgeting Earned Income For Contractual Employees  
112.136 Budgeting Earned Income For Non-Contractual School Employees  
112.137 Termination of Employment  
112.138 Transitional Payments (Repealed)  
112.140 Exempt Earned Income  
112.141 Earned Income Exemption  
112.142 Exclusion From Earned Income Exemption  
112.143 Recognized Employment Expenses  
112.144 Income from Work-Study and Training Programs  
112.145 Earned Income From Self-Employment  
112.146 Earned Income From Roomer and Boarder  
112.147 Income From Rental Property  
112.148 Payments from the Illinois Department of Children and Family Services  
112.149 Earned Income In-Kind  
112.150 Assets  
112.151 Exempt Assets  
112.152 Asset Disregards  
112.153 Deferral of Consideration of Assets  
112.154 Property Transfers (Repealed)  
112.155 Income Limit

SUBPART H: PAYMENT AMOUNTS

Section  
112.250 Grant Levels  
112.251 Payment Levels  
112.252 Payment Levels in Group I Counties  
112.253 Payment Levels in Group II Counties  
112.254 Payment Levels in Group III Counties  
112.255 Limitation on Amount of TANF Assistance to Recipients from Other States

SUBPART I: OTHER PROVISIONS

Section  
112.300 Persons Who May Be Included in the Assistance Unit  
112.301 Presumptive Eligibility  
112.302 Reporting Requirements for Clients with Earnings  
112.303 Retrospective Budgeting  
112.304 Budgeting Schedule  
112.305 Strikers  
112.306 Foster Care Program  
112.307 Responsibility of Sponsors of Non-Citizens Entering the County Prior

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to 8/22/96  
112.308 Responsibility of Sponsors of Non-Citizens Entering the Country on or After 8/22/96  
112.309 Institutional Status  
112.315 Young Parent Program (Renumbered)  
112.320 Redetermination of Eligibility  
112.330 Extension of Medical Assistance Due to Increased Income from Employment  
112.331 Four Month Extension of Medical Assistance Due to Child Support Collections  
112.332 Extension of Medical Assistance Due to Loss of Earned Income Disregard (Repealed)  
112.340 New Start Payments to Individuals Released from Department of Corrections Facilities (Repealed)

SUBPART J: CHILD CARE

Section  
112.350 Child Care (Repealed)  
112.352 Child Care Eligibility (Repealed)  
112.354 Qualified Provider (Repealed)  
112.356 Notification of Available Services (Repealed)  
112.358 Participant Rights and Responsibilities (Repealed)  
112.362 Additional Service to Secure or Maintain Child Care Arrangements (Repealed)  
112.364 Rates of Payment for Child Care (Repealed)  
112.366 Method of Providing Child Care (Repealed)  
112.370 Non-JOBS Education and Training Program (Repealed)

SUBPART K: TRANSITIONAL CHILD CARE

Section  
112.400 Transitional Child Care Eligibility (Repealed)  
112.404 Duration of Eligibility for Transitional Child Care (Repealed)  
112.406 Loss of Eligibility for Transitional Child Care (Repealed)  
112.408 Qualified Child Care Providers (Repealed)  
112.410 Notification of Available Services (Repealed)  
112.412 Participant Rights and Responsibilities (Repealed)  
112.414 Child Care Overpayments and Recoveries (Repealed)  
112.416 Fees for Service for Transitional Child Care (Repealed)  
112.418 Rates of Payment for Transitional Child Care (Repealed)

AUTHORITY: Implementing Article IV and authorized by Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/Art. IV and 12-13].

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4,

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effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979; peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 21, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and

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new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding Sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill. Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; amended at 9 Ill. Reg. 17827, effective November 18, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987;



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1994; amended at 18 Ill. Reg. 12805, effective August 5, 1994; amended at 18 Ill. Reg. 15774, effective October 17, 1994; expedited correction at 19 Ill. Reg. 998, effective October 17, 1994; amended at 19 Ill. Reg. 2845, effective February 24, 1995; amended at 19 Ill. Reg. 5609, effective March 31, 1995; amended at 19 Ill. Reg. 7883, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 10206, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 12011, effective August 7, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 12664, effective September 1, 1995; emergency amendment at 19 Ill. Reg. 15244, effective November 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15661, effective November 3, 1995; emergency amendment at 19 Ill. Reg. 15839, effective November 15, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 16295, effective December 1, 1995, for a maximum of 150 days; amended at 20 Ill. Reg. 845, effective January 1, 1996; amended at 20 Ill. Reg. 3538, effective February 15, 1996; amended at 20 Ill. Reg. 5648, effective March 30, 1996; amended at 20 Ill. Reg. 6018, effective April 12, 1996; amended at 20 Ill. Reg. 6498, effective April 29, 1996; amended at 20 Ill. Reg. 7892, effective June 1, 1996; emergency amendment at 20 Ill. Reg. 12499, effective September 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 14820, effective November 1, 1996; amendment at 20 Ill. Reg. 15983, effective December 9, 1996; emergency amendment at 21 Ill. Reg. 662, effective January 1, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 940, effective January 7, 1997; amended at 21 Ill. Reg. 1366, effective January 15, 1997; amended at 21 Ill. Reg. 2655, effective February 7, 1997; amended at 21 Ill. Reg. 7391, effective May 31, 1997; emergency amendment at 21 Ill. Reg. 8426, effective July 1, 1997, for a maximum of 150 days; recodified from the Department of Public Aid to the Department of Human Services at 21 Ill. Reg. 9322; amended at 21 Ill. Reg. 13597, effective November 26, 1997; emergency amendment at 22 Ill. Reg. 4466, effective February 24, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. 12197, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 14420, effective July 24, 1998; amended at 22 Ill. Reg. 14744, effective August 1, 1998; amended at 22 Ill. Reg. 16256, effective September 1, 1998; emergency amendment at 22 Ill. Reg. 16365, effective September 1, 1998, for a maximum of 150 days; emergency amendment at 22 Ill. Reg. ~~18076~~, effective October 1, 1998, for a maximum of 150 days.

## SUBPART A: GENERAL PROVISIONS

Section 112.1 Description of the Assistance Program  
EMERGENCY

- a) The program provides temporary assistance for needy families. Clients are limited to 60 months of benefits as an adult. This is a lifetime limit and includes cash benefits received both in Illinois and other states. Months in which the family has reported weekly hours 40-hours of employment equal to or greater than the State TANF Work Requirement per-week will not count toward the 60-month limit. Months in which a family head is a teen parent under age 18 will not count toward the

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emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E recodified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. 16142, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16006, effective October 6, 1989; emergency amendment at 13 Ill. Reg. 16142, effective October 2, 1989, for a maximum of 150 days; emergency expired March 1, 1990; amended at 14 Ill. Reg. 705, effective January 1, 1990; amended at 14 Ill. Reg. 3170, effective February 13, 1990; amended at 14 Ill. Reg. 3575, effective February 23, 1990; amended at 14 Ill. Reg. 6306, effective April 16, 1990; amended at 14 Ill. Reg. 10379, effective June 20, 1990; amended at 14 Ill. Reg. 13652, effective August 10, 1990; amended at 14 Ill. Reg. 14140, effective August 17, 1990; amended at 14 Ill. Reg. 16937, effective September 30, 1990; emergency amendment at 15 Ill. Reg. 338, effective January 1, 1991, for a maximum of 150 days; emergency amendment at 15 Ill. Reg. 2862, effective February 4, 1991, for a maximum of 150 days; emergency expired July 4, 1991; amended at 15 Ill. Reg. 5275, effective April 1, 1991; amended at 15 Ill. Reg. 5684, effective April 10, 1991; amended at 15 Ill. Reg. 11127, effective July 19, 1991; amended at 15 Ill. Reg. 11447, effective July 25, 1991; amended at 15 Ill. Reg. 14227, effective September 30, 1991; amended at 15 Ill. Reg. 17308, effective November 18, 1991; amended at 16 Ill. Reg. 9972, effective June 15, 1992; amended at 16 Ill. Reg. 11550, effective July 15, 1992; emergency amendment at 16 Ill. Reg. 11652, effective July 1, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 13629, effective September 1, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 17724, effective November 9, 1992; amended at 16 Ill. Reg. 20147, effective December 14, 1992; amended at 17 Ill. Reg. 357, effective December 24, 1992; amended at 17 Ill. Reg. 813, effective January 15, 1993; amended at 17 Ill. Reg. 2253, effective February 15, 1993; amended at 17 Ill. Reg. 4312, effective March 25, 1993; emergency amendment at 17 Ill. Reg. 6325, effective April 9, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6792, effective April 21, 1993; amended at 17 Ill. Reg. 15017, effective September 3, 1993; amended at 17 Ill. Reg. 19156, effective October 25, 1993; emergency amendment at 17 Ill. Reg. 19696, effective November 1, 1993, for a maximum of 150 days; amended at 18 Ill. Reg. 5909, effective March 31, 1994; amended at 18 Ill. Reg. 6994, effective April 27, 1994; amended at 18 Ill. Reg. 8703, effective June 1, 1994; amended at 18 Ill. Reg. 10774, effective June 27,

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60-month limit. All parents or caretakers must engage in work activities within 24 months or, if earlier, when determined able to work.

## b) The State TANF Work Requirement is as follows:

- 1) For Category 06 (two-parent) cases - 35 hours per week in FFY 1999 and after;
- 2) For Category 04 cases - 20 hours per week in FFY 1998, 25 hours per week in FFY 1999, and 30 hours per week in FFY 2000 and after.

(Source: Amended by emergency rulemaking at 22 Ill. Reg. **18076** effective October 1, 1998, for a maximum of 150 days)

## SUBPART C: TANF EMPLOYMENT AND WORK ACTIVITY REQUIREMENTS

## Section 112.78 TANF Employment and Work Activities

EMERGENCY

## a) Education (Below Post-Secondary)

Participants who are not working are limited to Adult Basic Education/GED/ESL and short-term Vocational Training programs lasting less than two years and may be required, in coordination with the education schedule, to participate in Job Readiness activities, Job Search, and/or Work Experience at the same time they are attending the education/training program to the extent resources will allow. Co-enrollment in Adult Basic Education/GED/ESL and Vocational Training is encouraged. In this activity, the individual receives information, referral, counseling services and supportive services to increase the individual's employment potential. Participants may be referred to testing, counseling and education resources. Educational activities will include basic and remedial education; English proficiency classes; high school or its equivalency (for example, GED) or alternative education at the secondary level; and with any educational program, structured study time to enhance successful participation.

- 1) Assignment to Education (Below Post-Secondary)
  - A) Individuals to be assigned to Education may include but are not limited to individuals:
    - i) who do not have a high school degree or equivalent;
    - ii) who have limited English proficiency; and
    - iii) who do not read at or above a 9.0 grade level.
  - B) Educational activities may be combined with other activities if it is determined appropriate.
- 2) Approval criteria for education (Below Post-Secondary)
  - A) The program selected by the individual must be accredited under State law.
  - B) The individual's program must be needed for the participant to complete his or her Responsibility and Services Plan.
  - C) The individual must be enrolled full-time as defined by the

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institution or part-time if a full-time program is not available or appropriate.

- D) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

## 3) Participation Requirements

- A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
- B) The individual must maintain participation of at least 75% of scheduled activities unless there is good cause for missing more.
- C) Clients attending a program administered by the Illinois State Board of Education (ISBE) must maintain satisfactory progress as determined by the following:
  - i) active participation and pursuit of educational objectives;
  - ii) teacher's written remarks;
  - iii) grades;
  - iv) demonstrated competencies;
  - v) classroom exercises; and
  - vi) periodic test/retest results.
- D) ISBE educational providers determine satisfactory progress based on a combination of the indicators listed above and test/retest results. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.
- E) Clients attending a program not administered by ISBE must maintain satisfactory progress as determined by the written policy of the institution. The determination of satisfactory progress including test/retest results must be reported upon completion of the academic term or twice a year if the program is continuous for 12 months.
- F) Curriculum changes must be made with the prior approval of TANF staff and will be approved when the change is consistent with the Responsibility and Services Plan.
- G) Except for individuals attending high school, participation in Education (Below Post-Secondary) is limited to 24 months except that the individual may continue in the education program if he or she also works at the State TANF Work Requirement level for at least 30 hours each week. Months in which the individual establishes good cause (see Section 112.80) for not participating in the program will not count



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toward the 24-month limit.

- b) Vocational Training
- Vocational Training is designed to increase the individual's ability to obtain and maintain employment. Vocational Training activities will include vocational skill classes designed to increase a participant's ability to obtain and maintain employment. Vocational Training may include certificate programs. Participants who are not working are limited to short-term Vocational Training programs lasting less than two years and may be required, in coordination with the education/training schedule, to participate in Job Readiness activities, Job Search, and/or Work Experience at the same time they are attending the education/training program to the extent resources will allow. A Vocational Training program lasting two years or more is regarded as Post-Secondary Education under this subsection (b).
- 1) Approval Criteria For Vocational Training
- A) The individual's program must be accredited under requirements of State law.
  - B) The individual must be underemployed or unemployed and in need of additional training and the training will better prepare the participant to enter the labor force.
  - C) Co-enrollment in Adult Basic Education/GED/ESL and Vocational Training is encouraged if the individual does not have a high school diploma or GED.
  - D) The individual must apply for all available educational benefits such as the Pell Grant and scholarships from the Illinois Student Assistance Commission as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible.
  - E) The individual must be enrolled full-time as defined by the institution or part-time if full-time is not available or appropriate.
  - F) Clients who are working at the State TANF Work Requirement level least-20-hours-per-week may be approved for education programs, including degree programs, to upgrade their skills consistent with their Personal Responsibility and Services Plan, to the extent resources allow.
  - G) The individual must be in a program needed for the individual to obtain employment in a recognized occupation.
  - H) Jobs must be available in the chosen field in a specific geographical area where the individual intends to work consistent with the individual's Responsibility and Services Plan upon completion.
  - I) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.

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- J) Vocational Training may be combined with other activities if it is determined appropriate.
  - K) The individual must possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.
- 2) Participation Requirements
- A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.
  - B) The individual must maintain a "C" average if this measurement is used by the institution to determine satisfactory progress. The individual will be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.
  - C) The individual must participate the assigned number of hours each week.
  - D) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term, but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress. Curriculum changes must be made with the prior approval of TANF and will be approved when the change is consistent with the Responsibility and Services Plan.
- c) Job Readiness
- 1) The Job Readiness activities are designed to enhance the quality of the individual's level of participation in the world of work while learning the necessary essentials to obtain and maintain employment. These activities help individuals gain the necessary job finding skills to help them find and retain employment that will lead to economic independence.
  - 2) Assignment to Job Readiness
  - Job Readiness activities may be combined with other activities if it is determined appropriate.
  - 3) Participation requirements
    - A) Participation must be full-time unless a full-time program is not readily available or a part-time program is most appropriate based on the individual's or family's circumstances.



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B) The individual must attend all scheduled classes or sessions. The individual must be making satisfactory progress as defined by the written policy of the job readiness provider and approved by the Department. If there is a job search activity in the program, the individual must make up to ten acceptable employer contacts in a 30 day period unless the participant shows good faith effort (see subsection (d)(3)(B) of this Section for the definition of "good faith effort").

C) The individual must participate the number of assigned hours each week.

D) The individual must respond to a job referral, accept employment and respond to mail-in contact.

## d) Job Search

## 1) Description of Job Search

Job Search may be conducted individually or in groups. Job Search may include the provision of counseling, job seeking skills, training and information dissemination. Group Job Search may include training in a group session.

## 2) Assignment to Job Search

A) If assessed as job ready, participants will be assigned to Job Search. If job ready clients are unable to find employment on their own at the end of six months, they will be reassessed and may be placed in a more appropriate activity.

B) Individuals completing education or vocational training or Job Readiness training may be assigned to Job Search.

C) Job Search may be combined with other activities if it is determined appropriate.

## 3) Participation Requirements

A) Participants must attend all scheduled classes or sessions. Participants will be notified in writing of all meetings.

B) Individuals must contact employers in an effort to secure employment. Participants must make up to 20 acceptable employer contacts in a 30-day period unless the participant shows good faith effort. Good faith effort exists when circumstances beyond the control of the participant prevent the individual from making the required number of contacts. Good faith effort may include, but is not limited to the following:

- i) the participant appears for a scheduled interview and the employer misses the appointment;
- ii) the participant makes less than the required number of acceptable employer contacts but came reasonably close to the required numbers in an effort to find work;
- iii) the participant fails a civil service or other employment screening test;
- iv) the participant completes an application which is not

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v) accepted by the employer; the participant's job search performance indicates that he or she should be in a different TANF activity; and

vi) the participant has less than the required number of employer contacts based on the lack of available jobs in the geographical area.

C) Acceptable employer contacts may include but are not limited to:

- i) a face-to-face contact with an employer or the employer's representative;
- ii) the completion and return of an application to an employer;
- iii) the completion of a civil service test required for employment with state, local, or the federal government or the completion of a Department of Employment Security (DES) screening test;
- iv) the completion and mailing of a resume with a cover letter to a recognized employer;
- v) reporting to the union hall for union members verified to be in good standing; or
- vi) registration with DES/Illinois Employment and Training Center (IETC).

## e) Community Work Experience

TANF participants who have not found employment and who need orientation to work, work experience or training are placed on a supervised work assignment to improve their employment skills through actual Work Experience at private or not-for-profit employers, organizations and governmental agencies. Participants are referred to work assignments as vacancies are available. Participants in Work Experience may perform work in the public interest (which otherwise meets the requirements of this Section) such as enrollment as a full-time VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) for a Federal office or agency with its consent, and, notwithstanding (31 U.S.C 1342) or any other provision of law, such agency may accept such services but such participants shall not be considered to be Federal employees for any purpose.

## 1) Assignment to Community Work Experience

A) Community Work Experience is for:

- i) participants who will benefit from working for an employer who provides a subsidized employment assignment to improve the individual's opportunity to attain self-sufficiency; or
  - ii) participants who need experience to prevent deterioration of, or to enhance, existing skills (for example, typing).
- B) Entry into Community Work Experience

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Participants are determined to be appropriate for Community Work Experience activity based on an assessment of their education, training and employment history. Procedures used in the assessment are a face-to-face meeting with the participant and a review of all available information on the participant (including, but not limited to, the individual's case record and Responsibility and Services Plan).

- C) Community Work Experience Positions
- A participant shall be assigned to a Community Work Experience position to increase the individual's potential for attaining employment. The date the participant is scheduled to begin the work assignment marks the beginning of participation in Community Work Experience. Community Work Experience activities may be combined with other activities if it is determined appropriate.
- D) Enrollment as a full-time VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) is an allowable work activity. Paid work study and some paid JTPA programs are also allowable.

## 2) Participation Requirements

- A) The hours of the Work Experience assignment may not exceed 20 hours per week for participants in single parent TANF cases. The hours of the work assignment for a calendar month shall not exceed the family's TANF grant and food stamp allotment received in the fiscal month during which the assignment is made divided by the higher of the State or Federal minimum wage or the rate of pay for individuals employed in the same or similar occupations by the same employer at the same site (as determined by the Work Experience Sponsor and the Department). (A fiscal month is a month that starts with a given day in one calendar month and ends with the day before that same given day in the next calendar month.) The portion of a recipient's aid for which the State is reimbursed by a child support collection (except for the \$50 pass through) shall be excluded in determining the maximum number of hours that the participant is required to work. In order to provide consistency for both work assignment sponsors and participants, the required number of hours will be rounded down to 40 or 80 hours. The minimum number of hours that must be completed within a calendar month is 40 hours and the maximum number of hours that must be completed is 80 hours.

- B) During work assignment, the participant shall be required to perform job search activities unless the participant shows good faith effort (see subsection (d)(3)(B) of this Section for the definition of "good faith effort") or participates in education and training programs. Participants are

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required to accept bona fide offers of employment pursuant to Section 112.72.

- C) Participants are also required to report as scheduled and on time to their work assignment Sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their work assignment Sponsor.
- D) The individual must participate the number of assigned hours each week.
- 3) Reassessment
- Every six months, the participant's Responsibility and Services Plan will be reassessed. If continuing the work assignment will benefit the participant in terms of furthering work skills (see subsection (e)(1)(A) and (B)), the participant shall be reassigned to the same or another work assignment. In addition, the individual will be assessed for assignment to another TANF activity.
- 4) Length of Assignment
- The individual must participate in Work Experience for as long as his or her Responsibility and Services Plan reflects the need for this activity.
- 5) Anti-Displacement
- Community Work Experience is subject to the provisions of Section 112.78(s).
- f) On the Job Training (OJT)
- In OJT, a participant is hired by a private or public employer and while engaged in productive work receives training that provides knowledge or skills essential to full and adequate performance of the job.
- 1) Assignment to OJT
- A) Job ready individuals may be assigned to OJT.
- B) OJT participants shall be compensated at the same rate and with the same benefits as other employees.
- C) Wages to participants in OJT shall not be less than the higher of the State or Federal minimum wage.
- D) Wages to participants in OJT are considered earned income.
- E) OJT may be combined with other component activities if it is determined appropriate.
- 2) Participation Requirements
- The individual must participate the assigned number of hours each week.
- 3) Supportive Services
- Participants in OJT receive child care and Medicaid benefits through the TANF program.
- g) Work Supplementation Program
- 1) The Work Supplementation Program develops employment opportunities for TANF recipients by paying wage subsidies to employers who hire program participants. The program is funded

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by diverting the cash grant an individual would receive if not employed and using the diverted grant to pay a wage subsidy to the employer who hires the recipient. The goal of the Work Supplement Program is to obtain jobs for TANF recipients, who might not be hired without a subsidy, with sufficient pay to take them off TANF.

## 2) Eligible Participants

A) TANF participants who meet the selection criteria listed in subsection (g)(2)(B) of this Section are eligible to participate in the Work Supplement Program. Participation in the program is voluntary. A TANF recipient who wants to participate in the Work Supplement Program must agree to all provisions in this Section during the time of participation in the program.

B) In order to place special emphasis on people who would not be likely to obtain a job without work supplementation, TANF recipients must meet the following criteria for selection to participate in the Work Supplement Program:

- i) the recipient must be the parent of at least one of the children in the TANF unit;
- ii) the recipient must have completed the Job Search work activity; and
- iii) the recipient must have no income other than TANF benefits.

C) Recipients identified for employment must be determined eligible for participation by their worker. The worker will recommend for participation in the Work Supplement Program those participants who are likely to encounter difficulty in obtaining employment (for example, lack of skills for which jobs are available in the area, lack of work history).

D) Nothing in this Section should be construed as providing any recipient the right to participate in the program.

## 3) Benefits and Reporting Requirements While Participating in the Work Supplement Program

A) Participants in the Work Supplement Program are considered to be TANF recipients and remain eligible for Medical Assistance for the duration of their Work Supplement Program participation. Child care, for cases that are eligible for a cash grant, will be regarded as employment child care.

B) The participant must agree to accept wages from employment, which will be at least an amount which would be earned by working full time (30 hours minimum) at the prevailing minimum wage, less applicable payroll taxes.

C) Participants are required to file quarterly reports as a requirement for continuing eligibility. Changes in income from sources other than the Work Supplement Program job

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and/or circumstances must still be reported within five days after occurrence pursuant to 89 Ill. Adm. Code 102.50.

D) Wages paid under a Work Supplement Program shall be considered to be earned income for purposes of any provision of law (42 U.S.C 1614(e)(3)).

## 4) Duration of Program Participation

A) Participants may not exceed a total of six months in the Work Supplement Program subsidized placements regardless of the number of times an individual becomes a TANF recipient. The period of a single assignment is dependent upon the terms of the Work Supplement Program contract that has been developed with the employer. Recipients will be informed of the length of the Work Supplement Program subsidy period prior to placement.

B) Participants who leave a supported work position without good cause (as defined in Section 112.80) are removed from the Work Supplement Program and are subject to sanction.

## 5) Contracts with Employers

A) Employers that participate in the Work Supplement Program must enter into a written contract with the Department prior to receiving referrals.

B) Employers must be in good standing (that is, in compliance with all applicable federal, State, county and local laws, regulations and ordinances) with the Illinois Department of Revenue, the Secretary of State and any and all regulatory agencies which have jurisdiction over their activities.

C) Employers agree to screen clients to hire on their own payroll after six months. Failure to do so will result in the employer being terminated from the program.

## 6) Calculation of the Diverted Grants

A) The level of grant to be diverted is determined on a prospective basis when a work assignment under the Work Supplement Program is made. The effective date of the diverted grant is the first day of the first full month of Work Supplement Program wages.

B) Work Supplement Program participants are eligible only for the earned income budgeting disregards provided in Sections 112.141 and 112.143. The difference between the flat grant amount and revised amount is diverted to the wage pool.

C) The difference between the payment level and the grant the participant receives is diverted and used in whole or in part to pay a wage subsidy to the employer.

## 7) Program Completion

If the participant is no longer eligible for TANF benefits after the Work Supplement Program period, a determination of continued medical eligibility shall be made in accordance with



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## Section 112.330.

## 8) Anti-Displacement

The Work Supplementation Program is subject to the provisions of Section 112.78(s).

## h) Post-Secondary Education

Clients who are not working will not be approved for degree programs unless they can complete the program in one year or less. Clients who are working at the State TANF Work Requirement level ~~least--20--hours per--week~~ may be approved for post-secondary education programs, including degree programs to upgrade their skills to the extent resources allow. Post-secondary education must be administered by an educational institution accredited under requirements of State law including, but not limited to, the Barber, Cosmetology and Esthetics Act of 1985 [225 ILCS 410], the Real Estate License Act of 1983 [225 ILCS 455], the Public Community College Act [110 ILCS 805], the Universities of Illinois Act [110 ILCS 305], the Chicago State Universities Law [110 ILCS 660], the Eastern Illinois University Law [110 ILCS 665], the Governors State University Law [110 ILCS 670], the Illinois State University Law [110 ILCS 675], the Northwestern Illinois University Law [110 ILCS 680], the Northern Illinois University Law [110 ILCS 685], the Western Illinois University Law [110 ILCS 690] and the Southern Illinois University Name Change Act [110 ILCS 505].

## 1) Approval Criteria For Post-Secondary Education

- A) The individual must have a high school diploma or a GED.
- B) The individual must possess the aptitude, ability and interest necessary for success in the selected program as determined by such factors as test results and educational/training background.
- C) The individual must be enrolled full-time as defined by the institution or part-time if a full-time program is not available or appropriate to upgrade skills for current employment.
- D) The individual must be in a program needed for the individual to obtain employment in a recognized occupation or upgrade skills for current employment.
- E) The individual does not already possess a baccalaureate degree or an associate degree if the Responsibility and Services Plan goal is an associate degree.
- F) If the participant possesses a baccalaureate degree, no additional education may be approved.
- G) The individual's program must be accredited under requirements of State law.
- H) If needed, the individual must apply for all available educational benefits such as the Pell Grant and scholarships from the Illinois Student Assistance Commission as well as any scholarship or grants identified by the education or training facility for which the participant may be eligible.

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- I) Jobs, consistent with the individual's Responsibility and Services Plan, must be available in the chosen field in a specific geographical area where the individual intends to work upon program completion.
- J) When programs of comparable quality are available in more than one geographical area, the program selected will be the least costly in supportive service costs to the Department. When programs of comparable quality are available in the same geographical area, the individual may select a preferred program.
- K) The program selected may be no more than a program that will result in the receipt of a baccalaureate degree consistent with the Responsibility and Services Plan.
- L) The individual, unless enrolled in a full-time, short-term vocational training program of less than two years, must also be employed in unsubsidized work ~~for-at-least-20--hours each-week~~ or participating ~~for-at-least-20-hours-per-week~~ in one or more of the following paid or unpaid work activities at the State TANF Work Requirement level:
  - i) work study;
  - ii) practicums, clinicals, or vocational internships such as student teaching, if required by the institution to complete the educational program;
  - iii) apprenticeships;
  - iv) self-employment; or
  - v) enrollment as a full-time Americorps VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (41 USC 4951 et seq.).
- M) Individuals who have been continuously enrolled in an approved post-secondary education program prior to July 1, 1997 must comply with the 20 hour per week work requirement by the end of the fall 1997 semester, or the activity will not be approved for the spring 1998 semester.
- N) Individuals who lose employment, unless due to a temporary scheduled employer shutdown, can continue in post-secondary education and receive supportive services, if eligible, during the current semester while they seek employment. If the individual has not reentered employment at the State TANF Work Requirement level of ~~at-least-20-hours-per-week~~ by the end of the current semester, the individual will not continue in post-secondary education and receive supportive services, but will be reassigned to another appropriate activity.

## 2) Participation Requirements

- A) The individual must maintain participation of at least 75% unless there is good cause for missing more.
- B) The individual must maintain a "C" average if this measurement is used by the institution to determine

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satisfactory progress. The individual would be allowed one semester below a "C" average to bring the grades up to a "C" average. When grades are not used, satisfactory progress will be determined by the written policy of the institution to establish a comparable grade level upon completion of the academic term.

- C) The client must complete all scheduled program enrollment hours each academic term to maintain satisfactory progress, except in the following situation. If the client withdraws from one or more scheduled courses during an academic term, the client must complete all scheduled enrollment hours during the following academic term. The client may withdraw from one or more scheduled classes in more than one academic term but must complete all scheduled enrollment hours the following academic term to maintain satisfactory progress.
- D) Curriculum changes must be made with the approval of the TANF worker and will be approved when the change is consistent with the Responsibility and Services Plan.

- i) Job Development and Placement (JDP)

- 1) TANF staff shall develop through contacts with public and private employers unsubsidized job openings for participants. Job interviews will be secured for clients by the marketing of participants for specific job openings.

- 2) Assignment to JDP

Job ready individuals may be assigned to JDP.

- j) Job Retention

Job Retention is designed to assist participants in retaining employment. Job Retention expenses are provided. The individual's supportive service needs are assessed and the individual receives counseling regarding Job Retention skills. Counseling or job coaching may continue after employment begins as long as the individual continues to receive TANF.

- k) Unemployed Parents Work Experience

- 1) Parents in a two-parent TANF case may be required to participate in Unemployed Parents Work Experience unless they are exempt under one of the exemption criteria (see Section 112.71).
- 2) Unemployed Parents Work Experience participants who are placed on a supervised work assignment improve their employment skills through actual Work Experience at private employers, not-for-profit organizations and governmental agencies. Participants are referred to work assignments as vacancies are available. Private employers, not-for-profit organizations and governmental agencies shall not use Unemployed Parents Work Experience participants to displace regular employees (see subsection (k)(7) of this Section).
- 3) At least one parent in a two-parent TANF case is required to participate in a Work Experience assignment for at least 30 hours per week unless exempt or one parent is employed. The

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participant in a two-parent TANF case must participate in Work Experience for as long as he or she remains eligible for cash assistance or until determined exempt from TANF. At the end of every six months, Work Experience participants will be reassessed to determine the appropriateness of the work assignment, if the participant is gaining work skills and if there is opportunity for employment.

- 4) Assignment to Work Experience

- A) The Unemployed Parents Work Experience participant who possesses a high school diploma or equivalent will be assigned to a work assignment. The participant who does not possess a high school diploma or equivalent and who is:
  - i) age 20 and over must participate an average of at least 30 hours each week in the Unemployed Parents Work Experience work assignment. In addition, the client may participate in educational activities below the post-secondary level; or
  - ii) under age 20 must participate an average of 20 hours each week in educational activities below the post-secondary level or be assigned to Work Experience for 20 hours weekly as appropriate. If assigned to education, the individual must then attend the program for the scheduled hours the program is offered. The individual must meet the participation requirements of the Education (below post-secondary) component (see Section 112.78(a)). If the individual fails to make satisfactory academic progress, the individual will be assigned to the Unemployed Parents Work Experience work assignment.

- B) Entry into Unemployed Parents Work Experience
- Parents in a two-parent TANF case may be required to participate in Unemployed Parents Work Experience unless they are exempt under one of the exemption criteria (see Section 112.71).

- C) Unemployed Parents Work Experience Positions
- A participant shall be assigned to an Unemployed Parents Work Experience position based on work history, prior training, experience, skills and vocational preference. The date the participant is scheduled to begin the work assignment marks the beginning of participation in Unemployed Parents Work Experience.

- D) Unemployed Parents Work Experience
- Unemployed Parents Work Experience activities may be combined with other component activities if it is determined appropriate.

- E) Enrollment as a full-time Americorps VISTA volunteer or Job Corps participant under Title I of the 1973 Domestic Volunteer Services Act (42 USC 4951 et seq.) is an allowable work activity. Paid work study and some paid JTPA programs

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are also allowable.

- 5) Participation Requirements
  - A) Participants in two-parent TANF cases must make a good faith effort to complete up to one employer contact per week equivalent to five hours of job search activity in each 30-day period.
  - B) Failure to make the required number of employer contacts each 30 day period without good cause may result in sanction. A client will not be sanctioned if he or she makes a good faith effort to complete and provide verification of the required number of employer contacts (see Section 112.78(d)(3)(B)).
  - C) Participants are also required to report as scheduled and on time to their work assignment Sponsor when notified of an assignment. When they cannot report to their work assignment or if they will be late, they are to immediately notify their work assignment Sponsor. The individual must participate the number of assigned hours each week. Participation may include the work assignment, attendance in Education (below post-secondary) and/or completion of employer contact activities. At least one parent in a two-parent TANF case is required to participate in a work experience assignment for at least 30 hours per week unless exempt or one parent is employed. The participant in a two-parent TANF case must participate in Work Experience for as long as he or she remains eligible for cash assistance or is determined exempt from TANF.
- 6) Reassessment
 

At the end of every six months, Work Experience participants will be reassessed to determine the appropriateness of the work assignment, if the participant is gaining work skills and if there is opportunity for employment.
- 7) Anti-Displacement
 

The Unemployed Parents Work Experience is subject to the provisions of Section 112.78(s).
- 1) Self-Employment
 

Self-employment activities will increase the individual's ability to start and maintain a business. Self-employment activities will include self-employment development training programs, technical assistance programs and a two year exemption of business assets and income for participants. In order to be approved in the self-employment component, the self-employment development plan must be approved.

  - 1) Assignment to Self-Employment
 

Applicants must have a GED or high school diploma, some work experience and/or proven ability or have a plan that indicates success can be obtained without these requirements.
  - 2) Participation Requirements

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Participants must participate in the assigned number of hours.

- 3) Self-Employment Asset and Income Exemptions
 

In order to qualify for a two year self-employment exemption of the business assets and income, the individuals must:

  - A) complete a self-employment program or demonstrate equivalent knowledge and experience; and
  - B) submit a business plan which includes the following items:
    - i) verification that the business can be started for under \$5,000;
    - ii) verification that the loan, if needed, has been secured or that an application for a loan is pending;
    - iii) a marketing plan which includes a complete product or service description, the market area, the target customers and promotional strategy, an analysis of the competition, distribution, pricing and selling methods; and
    - iv) a financial plan which includes the amount of loan the business will need and the repayment plan, the projected monthly cash flow over a two year period, the estimated cost of production and/or distribution and the estimated operating expenses.
- m) Unstructured Community Work Experience
 

Unstructured Community Work Experience provides TANF participants with activities that emphasize and build on the individual's job seeking confidence by positively reinforcing the achievement of each small step gained in his or her successful advances toward employment. Activities may include volunteer work as well as job search contacts. Activities are closely monitored for compliance and for tracking the length of time that participants are assigned to Unstructured Community Work Experience. At the reassessment the participant is assigned to the more structured work experience activity or Work First when the participant becomes more job ready. Participants are required to complete the work activities booklet weekly to document their Job Search and Community Service activities. Activities must be at the State TANF Work Requirement level for 20 hours-per-week or as assigned by their Responsibility and Services Plan.
- n) Get A Job Initiative
  - 1) The Department will operate Get A Job as a statewide demonstration for five years beginning November 1, 1995. Some areas will be designated as research sites, where cases will be randomly assigned to an experimental or control group. Clients in these areas not in the experimental group will not participate in Get A Job.
  - 2) Selection of Participants
 

At the time TANF cash assistance is approved, adults who are not exempt from participation in the TANF Employment and Work Program and who meet the following criteria will be assigned to Get A Job. Nonexempt adults will be selected if:



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- A) they are unemployed or employed and budgeted gross earnings are less than \$255 per month;
- B) their youngest child is age five through 12; and
- C) the adult:
- has a high school diploma or GED;
  - has been employed within the last three months; or
  - is receiving Unemployment Insurance (UI) Benefits or has received UI within the last three months.
- 3) TANF Orientation and Family Assessment
- A) At application, potential Get A Job participants will be identified during the intake process. The eligibility worker will inform the client about the TANF Employment and Work Program and explain Get A Job participation requirements and available supportive services. The worker will provide the client with information and forms needed to begin participation in Get A Job.
- B) The determination that the client meets the selection criteria for Get A Job and the evaluation of the need for and arrangement of supportive services constitutes the initial TANF family assessment for Get A Job participants.
- C) Participants will not be approved for education or training programs while in Get A Job.
- 4) Participation Requirements
- A) Unless they have good cause, participants must:
- attend scheduled monthly job search meetings;
  - keep appointments with Get A Job staff;
  - make a good faith effort to complete 20 employer contacts each month;
  - accept a bona fide offer of suitable employment; and
  - maintain employment and not voluntarily reduce earnings.
- B) Participants will remain in Get A Job for six months or until they have budgeted earnings of at least \$255 per month, whichever comes first. Nonexempt participants will then be reassigned to other TANF activities as slots are available.
- C) Participants will be placed in Get A Job each time they are approved for cash assistance and meet the selection criteria.
- 5) Supportive Services
- Supportive services will be provided to assist participants in their job search.
- A) Each participant will receive a monthly job search allowance of \$20 to cover the cost of employer contacts including transportation, stamps, resumes, etc. No additional payment for these costs will be allowed.
- B) Payment for child care and initial employment expenses will be provided, as needed, within the limits stated in Section

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112.82.

## 6) Sanctions

- Reconciliation will be attempted with participants who fail to meet participation requirements (see Section 112.77).
- When reconciliation is unsuccessful, the TANF sanctions will apply (see Section 112.79).

## o) Targeted Work Initiative (TWI)

## 1) Demonstration Status

The Department will operate the Targeted Work Initiative (TWI) as a statewide demonstration for five years beginning December 1995. Some areas will be designated as the research sites where cases will be randomly assigned to an experimental or control group. Clients in these areas who are not in the experimental group will not participate in TWI.

## 2) Selection of Participants

TANF cash recipients whose youngest child is age 13 or older shall be required to participate in TWI and must seek and accept employment as part of the TANF activity requirement, unless the recipient has earned income or is excused for one of the following reasons (other TANF exemption reasons listed in Section 112.71 do not apply to the TWI population):

- The recipient is temporarily ill or chronically ill.
  - An individual is temporarily ill when determined by the local office, on the basis of medical evidence (for example, a statement from a medical provider) or on another sound basis, that the illness or injury is serious enough to temporarily prevent the individual from engaging in employment or participating in a work activity. A sound basis for exemption on a temporary basis includes but is not limited to: the observation of a cast on a broken leg or the client provides information of a scheduled surgery or recuperation from surgery. Minor ailments and injuries, such as colds, broken fingers or rashes are not serious enough normally to exempt the individual under this criterion.
  - An individual is chronically ill or incapacitated, as determined by the local office, when a physician or licensed or certified psychologist finds that a physical or mental impairment, either by itself or in conjunction with age or other factors, prevents the individual from engaging in employment or participating in a work activity. This includes a 12 week period of recuperation after childbirth.
  - When an individual is determined either temporarily or chronically ill or incapacitated, the exclusion shall continue until further action is taken by the Department. When the exemption is initially granted,

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the Department will establish a date as to when the condition warranting the exemption is expected to end or, upon case review, the exemption will be reevaluated to determine whether the exempted individual continues to be exempt under the same procedures as for the initial determination of exemption with appropriate notice to the individual that the reevaluation is necessary.

- B) The recipient provides full-time care for another household member due to that person's medical condition or incapacity.

## 3) Time Limit on Receipt of Cash Assistance

- A) When the participant has been in TWI for 24 months, the participant must be working or in Work First to qualify for TANF, unless the participant is excused for one of the reasons in Section 112.78(o)(2).

- B) Beginning with the first month in TWI, the addition to the household of a child under age 13 or the birth of a child more than 10 months later shall not extend the 24-month period.

- C) After reaching the 24-month limit, the participant shall be ineligible for cash assistance for a period of 24 months, unless the participant is employed or in Work First. When the participant is off cash assistance for 24 consecutive months, for any reason, the participant will again be eligible for TANF if all other eligibility factors are met.

## 4) Participation Requirements

During the 24-month eligibility period, participants must cooperate with the requirements of the TANF Program as described in Section 112.72. Participants who fail to cooperate shall be subject to sanction.

## 5) Sanctions

- A) Reconciliation (see Section 112.77) will be attempted with participants who fail to meet participation requirements without good cause (see Section 112.80).

- B) When reconciliation is unsuccessful, the TANF sanctions will apply (see Section 112.79).

## 6) Activity Assignments for TWI Participants

- A) Initial Activity Assignment

- i) Participants with a high school diploma, GED or recent work history will initially be required to complete eight weeks of independent Job Search followed by assisted Job Search.

- ii) Participants who have neither a high school education nor recent work history will initially be given a choice of independent Job Search, Job Search plus job training or GED.

- B) Work First/Pay After Performance for TWI Participants

- i) Participants who have completed their appropriate

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activity and have not become employed after 12 months will be assigned to the Work First/Pay After Performance program.

- ii) Participants in Work First must work at least 80 hours per month (20 hours per week for single-parent cases) or 120 hours per month (30 hours per week for two-parent cases) in an assigned Pay After Performance position to earn their TANF grant and food stamps. If the participant does not work 80 hours per month for single-parent cases or 120 hours per month for two-parent cases, the reduction per hour not worked will be the amount of the grant divided by 80 hours or 120 hours respectively.

- iii) Participants in Work First must also complete 20 employer contacts each month or 35 hours of job club activities per month.

- iv) Participants will be assigned to Work First/Pay After Performance until they find unsubsidized employment. An assessment will be conducted every six months to determine appropriateness of assignment, if work skills are being gained and if the opportunity for placement exists.

- v) The Department will develop Work First/Pay After Performance positions with private employers or not-for-profit or public agencies and will provide Worker's Compensation coverage for participants.

- vi) Work First/Pay After Performance for TWI participants is subject to the provisions of Section 112.78(s).

- vii) Individuals who fail to participate, without good cause, are determined to have not availed themselves of the Work First opportunity. If good cause is not determined, the entire case is ineligible for TANF assistance. Upon reapplication for TANF, the individual may be reassigned to a Work First position.

## 7) Failure to participate is determined to have occurred:

- A) if the participant does not report to the provider or employer. Participants are deemed to have failed to report if they have not contacted the provider or employer in person, by telephone or mail, or by a third party; or
- B) if the participant has engaged in misconduct connected with the Work First assignment. The term "misconduct" means deliberate and willful violation of a reasonable rule or policy of the employer governing the individual's behavior or performance of work, provided such violation has harmed the employer or other employees or has been repeated by the individual despite a warning or the explicit instruction from the employer.

- p) Work First/Pay After Performance for Non-TWI Participants

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- 1) Participants who are not in TWI and quit employment without good cause or lose employment for reasons entirely out of their control (for example, plant closings or layoffs) will be required to participate in Work First/Pay After Performance for six months or until they obtain employment to the extent slots exist. To the extent that resources allow, job ready clients will also be targeted for Work First/Pay After Performance slots.
- 2) Individuals in a TANF case, assigned to Work First, must participate in Work First an average of at least 20 hours each week to earn their TANF grant and food stamps. If the participant does not work 80 hours per month, the reduction per hour not worked will be the amount of the grant divided by 80 hours.
- 3) Nonexempt individuals in a two-parent TANF case must participate an average of at least 30 hours each week in Work First and 5 additional hours in Job Search and/or job club activities. If the individuals do not work 120 hours per month, the reduction per hour not worked will be the amount of the grant divided by 120 hours.
- 4) Participants will be assigned to Work First/Pay After Performance until they find unsubsidized employment. An assessment will be conducted every six months to determine appropriateness of assignment, if work skills are being gained and if the opportunity for placement exists.
- 5) The Department will develop Work First/Pay After Performance positions with private employers or not-for-profit or public agencies. The Department shall provide Worker's Compensation coverage for participants. The Department will ensure all applicable employer safety laws are met for Work First/Pay After Performance assignments. Failure of an employer to do so will result in termination of the contract.
- 6) Work First/Pay After Performance for non-TWI participants is subject to the provisions of Section 112.78(s).
- 7) Individuals who fail to participate, without good cause, are determined to have not availed themselves of the Work First opportunity. If good cause is not determined, the entire case is ineligible for TANF assistance. Upon reapplication for TANF, the individual may be reassigned to a Work First position.
- 8) Failure to participate is determined to have occurred:
  - A) if the participant does not report to the provider or employer. Participants are deemed to have failed to report if they have not contacted the provider or employer in person, by telephone or mail, or by a third party; or
  - B) if the participant has engaged in misconduct connected with the Work First assignment. The term "misconduct" means deliberate and willful violation of a reasonable rule or policy of the employer governing the individual's behavior or performance of work, provided such violation has harmed

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- the employer or other employees or has been repeated by the individual despite a warning or the explicit instruction from the employer.
- q) Substance Abuse
- 1) Selection of Participants  
If alcohol or substance abuse is suspected as a barrier to employment during the family assessment process or at an intake interview, the client will be referred for a clinical assessment by an alcohol/substance abuse counselor. If treatment is indicated, the client will be required to follow-up as a condition of eligibility, unless the client is employed more than 30 hours per week or if treatment resources are not available.
  - 2) Work Activity  
Clients participating in alcohol/substance abuse treatment in accordance with their Responsibility and Services Plan are participating in a work activity.
  - 3) Supportive Services  
Supportive services, i.e., child care and transportation, will be provided to enable clients' participation in treatment, to the extent resources are available.
  - 4) Sanctions
    - A) Conciliation will be attempted with clients who fail to cooperate with their treatment plan. Cooperation with the treatment plan will be defined by the alcohol/substance abuse provider, based on uniform guidelines.
    - B) When conciliation is unsuccessful, the TANF sanctions will apply.
- r) Domestic Violence
- 1) Selection of Participants  
All clients receiving TANF will have a family assessment completed. If domestic violence is a barrier to employment, the client will be referred to a domestic violence service provider.
  - 2) Work Activity  
Clients participating in domestic violence abuse treatment are in accordance with their Responsibility and Services Plan and are participating in a work activity.
  - 3) Supportive Services  
Supportive services, i.e., child care and transportation, will be provided to enable clients' participation in treatment, to the extent resources are available.
  - 4) Sanctions  
If the individual does not comply with the Responsibility and Services Plan relating to domestic violence, a sanction will not be imposed. The Responsibility and Services Plan will be reviewed, and other work related activities will be developed. Compliance will be required for the new activities.
- s) Anti-Displacement and Grievance Procedure
- 1) An employer may not utilize a work activity participant if such



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utilization would result in:

- A) the displacement or partial displacement of current employees, including but not limited to a reduction in hours of non-overtime or overtime work, wages, or employment benefits; or
- B) the filling of a position that would otherwise be a promotional opportunity for current employees; or
- C) the filling of a position created by or causing termination, layoff, a hiring freeze, or a reduction in the workforce; or
- D) the placement of a participant in any established unfilled vacancy; or
- E) the performance of work by a participant if there is a strike, lockout, or other labor dispute in which the employer is engaged.

2) An employer who wishes to utilize work activity participants shall notify the appropriate labor organization in accordance with the applicable State statute [305 ILCS 5/9A-13].

3) Participants, other employees at the work site or their representative, may file a grievance with the Department if they believe the participant's work assignments are causing displacement. In order for the Department to consider a grievance, it must be in writing and contain the following information:

- A) the name and address of the participant or other employee at the work site (the grievant);
- B) the participant's case number (if grievant is participant);
- C) the grievant's Social Security number;
- D) Work Experience (work site); and
- E) a statement as to why the grievant believes the participant is causing displacement.

4) Within ten days after receipt of a written grievance, the Department shall arrange an in-person conference with:

- A) the grievant;
- B) the grievant's representative, if any;
- C) the Work Experience Sponsor;
- D) the Work Experience Sponsor's representative, if any; and
- E) the Department's representative.

5) At the in-person conference, the Department shall solicit and receive from the grievant and the Work Experience Sponsor any documents and statements relevant to the matters alleged in the grievance. The Work Experience Sponsor shall provide whatever documents or other information is requested by the grievant and/or the Department.

6) Within 15 days after the in-person conference, the Department shall advise the participant or other employee at the work site and the Work Experience Sponsor in writing of the information obtained in the investigation and of the findings and conclusions as to the matters alleged in the grievance.

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7) If the Department concludes that displacement occurred (as described in subsection (s)(1) of this Section), the Department shall terminate the participant's assignment to that Work Experience Sponsor. If the Department concludes, as a result of the evidence presented at the conference, that the Work Experience Sponsor has caused displacement by use of TANF participants in addition to the participants involved in the grievance, the Department shall terminate those TANF participants' assignment to that work assignment Sponsor.

8) The Department, its employees or the Work Experience Sponsor shall not retaliate for filing a grievance or otherwise proceeding under this policy. Retaliation will result in the termination of the Work Sponsor contract.

(Source: Amended by emergency rulemaking at 22 Ill. Reg. effective October 1, 1998, for a maximum of 150 days)

15076

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- 1) Heading of the Part: Conservation Reserve Enhancement Program (CREP)

- 2) Code Citation: 17 Ill. Adm. Code 1515

- 3) Section Numbers: Emergency Action:

1515.10	New Section
1515.20	New Section
1515.30	New Section
1515.40	New Section
1515.50	New Section
1515.60	New Section
EXHIBIT A	New Section

- 4) Statutory Authority: Implementing and authorized by the Intergovernmental Cooperation Act [5 ILCS 220], the Soil and Water Conservation Districts Act [70 ILCS 405], the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], the Real Property Conservation Rights Act [765 ILCS 120], and the Civil Administrative Code of Illinois [20 ILCS 805].

- 5) Effective Date of Emergency Rules: September 22, 1998

- 6) If this emergency rule is to expire before the end of the 15-day period, please specify the date on which it is to expire: This emergency amendment will remain in effect for the 150-day period.

- 7) Date filed with the Index Department: September 22, 1998

- 8) A copy of the adopted rules, including any material incorporated by reference, is on file in the Department of Natural Resource's principal office and is available for public inspection.

- 9) Reason for Emergency: The Conservation Reserve Enhancement Program is a State and Federal incentive program to retire 232,000 acres of environmentally sensitive ground in the Illinois River Watershed. The main purpose of the program is to reduce sedimentation and siltation in the Illinois River. The State incentives include cost-share reimbursement for approved conservation practices and payments for conservation easements and federal contract extensions. These rules need to be promulgated as emergency rules so that conservation practices may be established on these lands this fall after harvest. If they are not promulgated as emergency rules, landowners who have already enrolled in the program cannot put practices in place this fall and erosion and sedimentation from these lands will increase because they do not have appropriate cover. Increased sedimentation is a threat to the public interest, safety and welfare.

- 10) A Complete Description of the Subjects and Issues Involved: The major

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threat to the Illinois River is sedimentation from the watershed. Approximately 14 million tons of silt and sediment enter the River annually, with almost 8 million tons being deposited in the mainstem of the river and the backwater lakes. To help alleviate this problem, the State entered into a Memorandum of Agreement (MOA) with the United States Department of Agriculture to create an Illinois River Conservation Reserve Enhancement Program (CREP). The Governor signed the MOA on March 30, 1998 and enrollment began on May 1, 1998.

Problems with the land eligibility criteria arose as soon as sign up began. Letters requesting clarification were sent to Washington USDA from the Department on May 11, 1998. This did not bring satisfactory resolution to the issues. An amendment to clarify the eligibility and add additional conservation practices was submitted to Washington Farm Service Agency (FSA) on July 10, 1998. Final language to this amendment was agreed to by all State and Federal Agencies involved in the program on August 14, 1998. The State is waiting for the final signed copy.

This Part needs to be promulgated as an Emergency Rule to put in place the rules for the cost-share and easement payments so landowners may implement practices as soon as fields are harvested this fall. As of August 28, there were 93 landowners signed up for the State incentives. If the rules are not promulgated as an Emergency, these landowners will not be able to put the needed conservation measures on their land. Those who have enrolled since August 28 will also not be able to implement the conservation measures for the program. Soil erosion from these lands will increase the sediment and silt load to the river instead of achieving the reduction that the Program was designed for.

- 11) Are there any proposed amendments to this Part pending? No
- 12) Statement of Statewide Policy Objectives: These rules do not create or expand a state mandate.

- 13) Information and questions regarding this amendment shall be directed to:

Jack Price  
Department of Natural Resources  
524 S. Second Street, Room 485  
Springfield IL 62701-1787  
217/782-1809

The full text of the Emergency Rule begins on the next page:

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TITLE 17: CONSERVATION  
CHAPTER 1: DEPARTMENT OF NATURAL RESOURCES  
SUBCHAPTER d: FORESTRY

PART 1515  
CONSERVATION RESERVE ENHANCEMENT PROGRAM (CREP)

Section	1515.10	General Provisions
EMERGENCY	1515.20	Eligibility Requirements
EMERGENCY	1515.30	Enrollment Process
EMERGENCY	1515.40	Exceptions to Enrollment Process
EMERGENCY	1515.50	Payments
EMERGENCY	1515.60	Violation
EMERGENCY		
EMERGENCY		

EXHIBIT A Map of Eligible Area in Illinois River Watershed

AUTHORITY: Implementing and authorized by the Intergovernmental Cooperation Act [5 ILCS 220], the Soil and Water Conservation Districts Act [70 ILCS 405], the Fish and Aquatic Life Code [515 ILCS 5], the Wildlife Code [520 ILCS 5], the Real Property Conservation Rights Act [765 ILCS 120], and the Civil Administrative Code of Illinois (Part 13.5) [20 ILCS 805].

SOURCE: Emergency rule adopted at 22 Ill. Reg. **18116**, effective September 22, 1998, for a maximum of 150 days.

Section 1515.10 General Provisions  
EMERGENCY

The Conservation Reserve Enhancement Program (CREP) is a State Incentive Program combined with the Federal Conservation Reserve program (CRP) to provide long term environmental benefits by allowing 232,000 acres of certain environmentally sensitive lands in the Illinois River Watershed to be restored, enhanced or protected over a period of time from 15 years to perpetuity. The CREP will be driven by locally led conservation efforts which show landowner support. This program will be the vehicle for a partnership between landowners, governmental entities, and non-governmental organizations in addressing watershed quality problems.

Section 1515.20 Eligibility Requirements  
EMERGENCY

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Lands that meet the CREP eligibility criteria for CRP contracts as determined by the USDA Farm Service Agency (FSA) are eligible for the State Incentive Program, unless specifically excepted by Section 1515.40(a).

a) The acres to be enrolled under CREP must consist of land from the subwatersheds adjacent to the Middle Illinois and Peoria Lake sections of the Illinois River and the adjacent watersheds of the Vermilion, Mackinaw, Spoon, Lower Fox, Lower Sangamon, and Kankakee Rivers as shown on the attached map (EXHIBIT A). These acres will be further subdivided to include:

- 1) 15,000 acres of lands with a weighted average Erodibility Index (EI)  $\geq$  12. Such lands will only be eligible if: such lands are adjacent to a stream corridor; the landowner agrees to enroll riparian areas in the stream corridor using the CREP or any other CRP enrollment opportunity; and the land has become an uneconomic remnant as a result of the establishment of a riparian buffer or the enrollment of the land is required for effective functioning of a riparian buffer; and
- 2) 85,000 acres of riparian areas, defined as the 100 year floodplain of the Illinois River and its associated tributaries and streams in the watersheds specified in subsection (a) of this Section and shown in EXHIBIT A. For wetland restoration purposes, farmed wetlands, prior converted wetlands and wetlands farmed under natural conditions that are located within the watersheds specified in the agreement shall be eligible for enrollment.

b) The CRP practices that are eligible for use on the CREP enrollments to receive cost-share assistance are:

- 1) For lands qualifying on the basis of erosion (must have an EI  $\geq$  12):
  - Establishment of Permanent Native Grasses (CRP Practice CP 2)
  - Tree Planting (CRP Practice CP 3)
  - Hardwood Tree Planting (CRP Practice CP 3A)
  - Permanent Wildlife Habitat, Noneasement (CRP Practice 4D)
  - Wildlife Food Plot (CRP Practice CP 12)
  - Rare and Declining Habitat for prairie ecosystem restoration and tallgrass prairie/oak savanna ecosystem restoration (CRP Practice CP 25)
- 2) For lands qualifying as riparian areas:
  - Hardwood Tree Planting (CRP Practice CP 3A)
  - Permanent Wildlife Habitat, Noneasement (CRP Practice 4D)
  - Shallow Water Areas for Wildlife (CRP Practice CP 9)
  - Wildlife Food Plot (CRP Practice CP 12)
  - Filter Strip (CRP Practice CP 21) - Filter strips can extend to the Natural Resources Conservation Service (NRCS) maximum design standard for Illinois based on percent slope for the purposes of water quality. Installation of appropriate practices authorized in this Section may be combined adjacent to CP 21 (Filter Strip) up to a combined maximum width for both practices of 234 feet.



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Riparian Buffer (CRP Practice CP 22) - Riparian buffers can extend to the maximum widths allowed in the NRCS Field Office Technical Guide, which include the 100 year floodplain for water quality purposes.

Wetland Restoration (CRP Practice CP 23) - Will be applied to farmed wetlands, prior converted wetlands, wetlands farmed under natural conditions and lands that lie in the 100 year floodplain. Rare and Declining Habitat for prairie ecosystem restoration, tallgrass prairie/oak savanna ecosystem restoration, or floodplain wetland restoration (CRP Practice CP 25).

## Section 1515.30 Enrollment Process

## EMERGENCY

- a) An applicant for the program must be enrolled in the Federal portion of the Conservation Reserve Enhancement Program.
- b) For the State incentive program, the enrollment process is initiated at the county Soil and Water Conservation District (SWCD) office. The participant, who must be enrolled in the Federal portion of the CREP, completes the State enrollment form that specifies the desired option: a 15 year contract supplement, a 35 year contract supplement, or a permanent easement (minimum of 20 acres).
- c) The State enrollment form along with the FSA approved CRP contract of the land to be enrolled shall be faxed to Forest Resources Division, Illinois Department of Natural Resources (IDNR) to document the date and time received. The State form receives an enrollment number and an approval date that obligates the State funding for that enrollment. Enrollments are accepted and numbers assigned on a first come-first served basis. If the appropriation for that fiscal year has been obligated, then the enrollment receives a number and a date on the waiting list for subsequent appropriations.
- d) The enrollment form with the enrollment number and approval date or waiting list date shall be faxed back to the county SWCD/NRCS office. The county SWCD shall work with the landowner to execute the contract supplement or permanent easement documents and record them at the County Courthouse.

## Section 1515.40 Exceptions to Enrollment Process

## EMERGENCY

- a) Participants with land that is subject to a restrictive covenant that has already given the State the rights provided for in the CREP easement or are restoring the land for mitigation from a State or federal action are ineligible for State CREP bonus payments or State CREP cost-share payments.
- b) If a county SWCD chooses not to hold contract supplements or easements for that county, the enrollment forms will be completed at the county SWCD/NRCS office. However, the IDNR will work with the landowner to

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execute the contract supplements and easements, record them at the County Courthouse, and administer them.

- c) As provided for in the Real Property Conservation Rights Act [765 ILCS 120], any agency of the State, unit of local government, or not-for-profit corporation or trust whose primary purposes include the conservation of land and natural areas, may hold the CREP contract supplements or easements for a group of willing CREP participants. Such entity must contact IDNR with a signed list of willing participants. IDNR will assist the entity with the enrollment process. The entity must execute the contract supplements or easements, administer them, and provide annual reports to IDNR by September 30 of each year.

## Section 1515.50 Payments

## EMERGENCY

Payments will be provided to the participant upon execution of the contract supplement or permanent easement based upon the following formulas:

- a) Bonus Payments
  - 1) Permanent Easements
    - A) The payment to a participant for a voluntary permanent easement will be a lump sum payment equal to the CRP maximum annual rental rate as determined by FSA based on soil types (exclusive of any federal incentive payments) times 15 years times 30 percent.
    - B) If the participant elects a permanent easement option, additional non-cropped acreage or ground in another CRP sign-up may be offered for permanent easement. The participant will receive a lump sum payment based on the formula set forth for CREP State incentive, but using the soil type on the additional acreage. The participant must agree for a conservation plan written and approved by USDA and IDNR to be established at the time of enrollment for the total acreage in the permanent easement, but will receive no cost-share payment for any practice established on the additional non-cropped acreage or other CRP land. The criteria for a permanent easement on additional non-cropped ground or ground in another CRP sign-up:
      - i) must be adjacent to the stream, tributary, or Illinois River;
      - ii) must be adjacent to cropped acreage enrolled in a CREP permanent easement; or adjacent to the stream but on opposite stream bank (same landowner);
      - iii) Must already be in acceptable practices based on soil types and wildlife benefits or the participant must be willing to put the land in the acceptable practice at his own expense. If applicable, the landowner may use another federal and/or State cost share program to

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implement the practices. (For example, if the landowner wants to include additional non-cropped land in trees along with a wetland restoration on eligible CREP land, he may enroll the non-cropped land in the permanent easement with the cropped acreage, but must pay any restoration costs on the non-cropped land.) A site visit by appropriate IDNR field staff may be required to determine the acceptability of the additional acreage (non-cropped ground or land in another CRP sign up) offered for permanent easement.

- 2) 15 Year Supplement  
The payment to a participant for a 15 year contract supplement will be a lump sum payment that will equal 50 percent of the payment for a voluntary, permanent easement (CRP maximum annual rental rate, exclusive of any federal incentive payments, times 15 years, times 30 percent).

- 3) 35 Year Supplement  
The payment to a participant for a 35 year contract supplement will be a lump sum payment that will equal 75 percent of the payment for a voluntary, permanent easement (CRP maximum annual rental rate, exclusive of any federal incentive payments, times 15 years, times 30 percent).

## b) Cost-Share Payments

Participants who enter the State incentive program will also receive cost-share payments for the installation of CREP approved practices based on the following formulas:

- 1) Participants who enter into a voluntary CREP permanent easement will receive reimbursement at a 50 percent cost-share rate based upon FSA guidelines for the installation of CREP approved practices from the State. The amount of reimbursement to a participant from all sources may not exceed 100 percent of the cost-share rate of the practice established by FSA.

- 2) Participants who enter into a 15 year contract supplement or 35 year supplement on lands defined as riparian areas, farmed wetlands, prior converted wetlands, or wetlands farmed under natural conditions will receive reimbursement at a 40 percent cost-share rate based upon FSA guidelines for the installation of CREP approved practices from the State. The amount of reimbursement to a participant from all sources may not exceed 100 percent of the cost-share rate of the practice established by FSA.

- 3) Participants who enter into a 15 year contract supplement or 35 year supplement on lands defined on the basis of erodibility (weighted average Erodibility Index; EI  $\geq$  12) will not receive any reimbursement from the State for cost-share for CREP practice implementation. Participants may receive reimbursement from other sources.

## c) Mechanics of Payment

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF EMERGENCY RULES

- 1) For executed contract supplements and easements, the county SWCD shall complete an invoice voucher and submit to IDNR for a lump sum bonus payment.
- 2) The cost-share payment will be made to the landowner after the practice has been approved by the appropriate IDNR field staff and certified by the county NRCS office. The county SWCD will submit an invoice voucher to IDNR for the cost-share payment on certified practices.

Section 1515.60 Violation  
EMERGENCY

Participants who violate the terms of either the 15 year or 35 year contract supplements or permanent easement must either restore the conservation practices in full to the terms of the contract or easement at their own expense within a reasonable time frame (1 year or less); or refund the total of all money from the State lump sum payment, the State cost-share payment and amount paid to the county Soil and Water Conservation District for the administration of the contract supplement, plus a 15 percent penalty fee (15 percent of the total of all State payments to landowner and county Soil and Water Conservation District).

**POLLUTION CONTROL BOARD**

**NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS**

NOTICE PURSUANT TO 415 ILCS 5/7.2(b)

Section 22.4(a) of the Environmental Protection Act (Act)[415 ICS 5/22.4(a)] requires the Board to adopt regulations that are 'identical in substance' to U.S. Environmental Protection Agency (USEPA) RCRA Subtitle C rules adopted pursuant to Sections 3001 through 3005 of the Resource Conservation and Recovery Act of 1976 (42 U.S.C. Sections 6921-6925). These rules are contained in 35 Ill. Adm. Code 702, 703, 705, 720 through 726, 728, 733, and 739. (Parts 703, 720, 724, 725, 728, and 739 are to be amended in a consolidated action under dockets 98-21 and 99-2.)

Section 13.3 of the Environmental Protection Act (Act) [415 ILCS 5/13.3] requires the Board to adopt regulations that are "identical in substance" to U.S. Environmental Protection Agency (USEPA) underground injection control (UIC) rules adopted pursuant to Section 1421 of the Safe Drinking Water Act (SDWA), 42 USC Sections 300h (1996). These rules are contained in 35 Ill. Adm. Code 730 and 738. (Part 738 is to be amended in docket R99-7, which has been consolidated with RCRA Subtitle C dockets R98-21 and R99-2.)

Section 7.2(a) of the Act requires the Board to complete its identical-in-substance rulemaking actions within one year after the date of the USEPA action on which they are based. Section 7.2(b) allows the Board to extend the deadline for adoption by publication of a notice of reason for delay in the *Illinois Register*.

On September 17, 1998, the Pollution Control Board adopted a proposal for public comment in consolidated docket R98-21/R99-2/R99-7. A segment of that order set forth reasons for delay in the RCRA Subtitle C docket R98-21 segment of the proceeding. In that order, the Board stated as follows:

## REASONS FOR DELAY

In January 1998, the Board reserved docket R98-21 for amendments to the federal RCRA Subtitle C hazardous waste management regulations that USEPA adopted in the period of July 1, 1997, through December 31, 1997. In July 1998, the Board reserved docket R99-2 for RCRA Subtitle C amendments that USEPA adopted in the period of January 1, 1998, through June 30, 1998, and docket R99-7 for federal UIC program amendments that occurred in the same period. Under Section 7.2 of the Act, the deadline for Board adoption of amendments under docket R98-21 is December 5, 1998, which is one year after the earliest federal amendments that occurred in the timeframe of the docket.

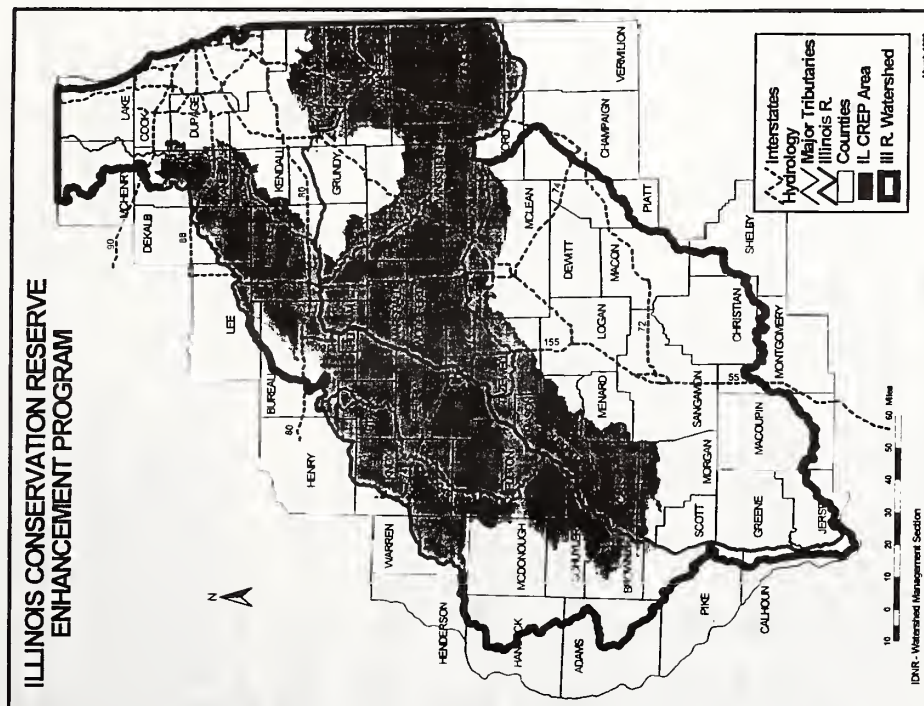
The deadline for Board adoption of amendments under RCRA Subtitle C docket R99-2 is similarly April 15, 1999, and that for UIC docket R98-5 is May 5.

Section 7.2 of the Act provides that the Board can extend the deadline for adoption of identical-in-substance amendments by publishing a notice in the

## DEPARTMENT OF NATURAL RESOURCES

## NOTICE OF PROPOSED RULE (S)

EXHIBIT A Map of Eligible Area in Illinois River Watershed





JOINT COMMITTEE ON ADMINISTRATIVE RULES  
ILLINOIS GENERAL ASSEMBLY

STATEMENT OF RECOMMENDATION  
TO PROPOSED RULEMAKING

DEPARTMENT OF PROFESSIONAL REGULATION

Heading of the Part: The Illinois Nursing Act of 1987

Code Citation: 68 Ill Adm Code 1300

Section Numbers: 1300.35

Date Originally Published in the Illinois Register: 5/22/98  
22 Ill Reg 8764

At its meeting on September 22, 1998, the Joint Committee on Administrative Rules considered the above cited rulemaking and recommends that DPR adopt by rule the minimum standards for the required remedial coursework taught in universities, colleges, and nursing schools and adopt procedures for remedial program approval.

The agency should respond to this Recommendation in writing within 90 days after receipt of this Statement. Failure to respond will constitute refusal to accede to the Committee's Recommendation. The agency's response will be placed on the JCAR agenda for further consideration.

POLLUTION CONTROL BOARD

NOTICE OF PUBLIC INFORMATION ON PROPOSED AMENDMENTS

*Illinois Register* that states the reasons for delay. On August 20, 1998, the Board adopted the more than 650 pages of amendments in the consolidated RCRA Subtitle update C and UIC update docket (R97-21/R98-3/R98-5). The Board will file those amendments with the Office of the Secretary of State on or shortly after September 19, 1998, pursuant to our primacy agreement with the USEPA, which requires the Board to delay filing adopted amendments for 30 days to allow USEPA an opportunity to review and comment on the rules before they become effective.

The Board has prepared today's proposal during the pendency of the prior consolidated docket. However, the Board could not and cannot easily propose the amendments involved in this docket, for practical reasons, until we actually file those involved in the preceding docket. Doing so for such extensive, complex, and overlapping amendments could easily result in error. The order containing the proposed rule text is over 550 pages in length, and 34 of the 75 Sections involved in this proceeding are also involved in the prior consolidated update docket R97-21/R98-3/R98-5. Thus, today is the first date when the Board can reasonably act to propose the present amendments.

Adopting this proposal for public comment today will allow the following estimated progress in this docket, assuming no unforeseen events result in additional delay:

Present Due date:	December 5, 1999
Proposal adopted date:	September 17, 1998
Projected Docket Progress:	
Submission for <i>Illinois Register</i> Publication:	September 28, 1998
<i>Illinois Register</i> publication date:	October 9, 1998
End of 45-day public comment period:	November 23, 1998
Board Consideration for Adoption:	December 17, 1998
End of 30-day holding period:	January 17, 1999
Possible filing and effective date:	January 25, 1999
Possible Register publication date:	February 5, 1999

Based on these estimates, it appears that the Board will vote to adopt the present amendments shortly after the statutory due date of December 5, 1998. Given the additional time necessary to withhold filing for 30 days to allow USEPA review and to actually prepare and submit the rules to the Office of the Secretary of State, the Board presently anticipates that we will complete all necessary actions to adopt the presently anticipates that we will complete all necessary actions to adopt the present amendments on or before February 1, 1999. Having thus found that additional time will be necessary, the Board presently anticipates that the present amendments will be filed and become effective on or before February 22, 1999.

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 21, 1998 through September 28, 1998 and have been scheduled for review by the Committee at its October 20, 1998 meeting in Chicago. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rule should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	JCAR Meeting
	Start Of First Notice	
11/4/98	State Board of Education, Certification (23 Ill Adm Code 25)	7/17/98 22 Ill Reg 12427
11/4/98	State Board of Education, Insurance for Certified Employees (23 Ill Adm Code 56)	6/5/98 22 Ill Reg 9402
11/4/98	State Board of Education, Reading Improvement Program (23 Ill Adm Code 260)	7/17/98 22 Ill Reg 12435
11/4/98	State Board of Education, School Technology Program (23 Ill Adm Code 575)	6/5/98 22 Ill Reg 9464
11/7/98	Department of Public Aid, Medical Assistance Programs (89 Ill Adm Code 120)	7/17/98 22 Ill Reg 12476
11/7/98	Illinois Housing Development Authority, Multifamily Rental Housing Mortgage Loan Program (47 Ill Adm Code 310)	7/31/98 22 Ill Reg 14081
11/7/98	Department of Labor, Health and Safety (56 Ill Adm Code 350)	5/15/98 22 Ill Reg 8283

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

11/7/98	Department of Transportation, Prequalification of Contractors and Issuance of Plans and Proposals (44 Ill Adm Code 650)	6/5/98 22 Ill Reg 9505	10/20/98
11/7/98	Department of Transportation, Contract Procurement (44 Ill Adm Code 660)	6/5/98 22 Ill Reg 9470	10/20/98
11/8/98	Capital Development Board, Hearing Procedures (71 Ill Adm Code 100)	7/31/98 22 Ill Reg 14018	10/20/98
11/8/98	Capital Development Board, Prequalification of Architects and Engineers (44 Ill Adm Code 980)	7/31/98 22 Ill Reg 14022	10/20/98
11/8/98	Capital Development Board, Bidder Responsibility (44 Ill Adm Code 950)	7/31/98 22 Ill Reg 14003	10/20/98
11/8/98	Department of Children and Family Services, Confidentiality of Personal Information of Persons Served by the Department of Children and Family Services (89 Ill Adm Code 431)	5/8/98 22 Ill Reg 7759	10/20/98
11/8/98	Department of Public Aid, Medical Payment (89 Ill Adm Code 140)	7/31/98 22 Ill Reg 14239	10/20/98
11/8/98	Department of Human Services, General Administrative Provisions (89 Ill Adm Code 10)	7/10/98 22 Ill Reg 11673	10/20/98
11/8/98	Department of Human Services, Temporary Assistance for Needy Families (89 Ill Adm Code 112)	7/6/98 22 Ill Reg 11290	10/20/98
11/8/98	Department of Human Services, Temporary Assistance for Needy Families (89 Ill Adm Code 112)	7/24/98 22 Ill Reg 13286	10/20/98

## JOINT COMMITTEE ON ADMINISTRATIVE RULES

## ILLINOIS GENERAL ASSEMBLY

## SECOND NOTICES RECEIVED

11/8/98	Department of Human Services, Food Stamps (89 Ill Adm Code 121)	7/24/98 22 Ill Reg 13264	10/20/98
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Rules acted upon during the period from August 7 (Issue 32, 1998) through October 9, 1998 (Issue 41) are listed in the Issues Index by Title number, Part number and Issue number. For example, 50 Ill. Adm. Code 4401 published in Issue 40 will be listed as 50-4401-40. The letter "R" designates a rule that is being repealed. Inquiries about the Issues Index may be directed to the Administrative Code Division at 217-782-4414 or jnatals@cgate.sos.state.il.us (Internet address).

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